

MOUNTAIN PLAN

KENNEDY MEADOWS SUB-AREA



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**An Amendment to the Land Use and
Circulation Elements of Tulare County**

MOUNTAIN PLAN

KENNEDY MEADOWS SUB-AREA

Approved: Tulare County Planning Commission
Resolution No. 6296, September 24, 1986

Adopted: Tulare County Board of Supervisors
Resolution No. 86-1376, October 28, 1986

PREPARED BY THE TULARE COUNTY BUILDING AND PLANNING DEPARTMENT
FOOTHILL AND MOUNTAIN PLANNING DIVISION

**An Amendment to the Land Use and
Circulation Elements of Tulare County**

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PREFACE

The Kennedy Meadows Plan is the first of six "sub-area" plans proposed to complete the Mountain Plan, an amendment to the Tulare County General Plan. The Mountain Plan establishes planning policy for all privately owned lands within the mountain region of the county.

The mountain planning region includes all lands in Tulare County east of the most easterly boundary of the Foothill Growth Management Plan, which generally coincides with the westerly boundary of Federal lands in Tulare County, including lands under the jurisdiction of the Sequoia National Park, the Sequoia National Forest and the Bureau of Land Management.

The private lands in this region approximate 40,000 acres and include six separate geographical locations or "sub-areas" with distinguishing characteristics. The geographical locations have been identified as:

- Kennedy Meadows
- Great Western Divide
- Redwood Mountain
- Posey
- Upper Balch Park
- South Sierra

and include such communities and development enclaves known as Wilsonia, Silver City, Camp Nelson, Sequoia Crest, Alpine Village, Quaking Aspen, Ponderosa, Johnsondale, Monache Meadows, Kennedy Meadows, Chimney Peak, California Hot Springs, Pine Flat, Idlewild, Panorama Heights, Balance Rock, Posey, Fairview-on-the-Kern, and Corral Creek.

When complete, the sub-area plans will serve to update and contemporize policies, in particular, land use and circulation policies pertaining to the mountain regions, set forth in the 1963 Area General Plan for Tulare County. Boiled down, the 1963 Area General Plan provides that:

No new communities would be planned for in the mountain area. Development would be encouraged within existing developed areas. All development occurring in the mountain area should be constrained by careful protection of the environment. The primary thrust behind development would be to realize the economic potential of recreation. Recreation-oriented housing would be encouraged but should be balanced against the need to conserve soil and water. Highway (and road) extensions would be encouraged where appropriate and necessary for improved circulation within the mountain area. The designation and treatment of scenic highways would be encouraged.

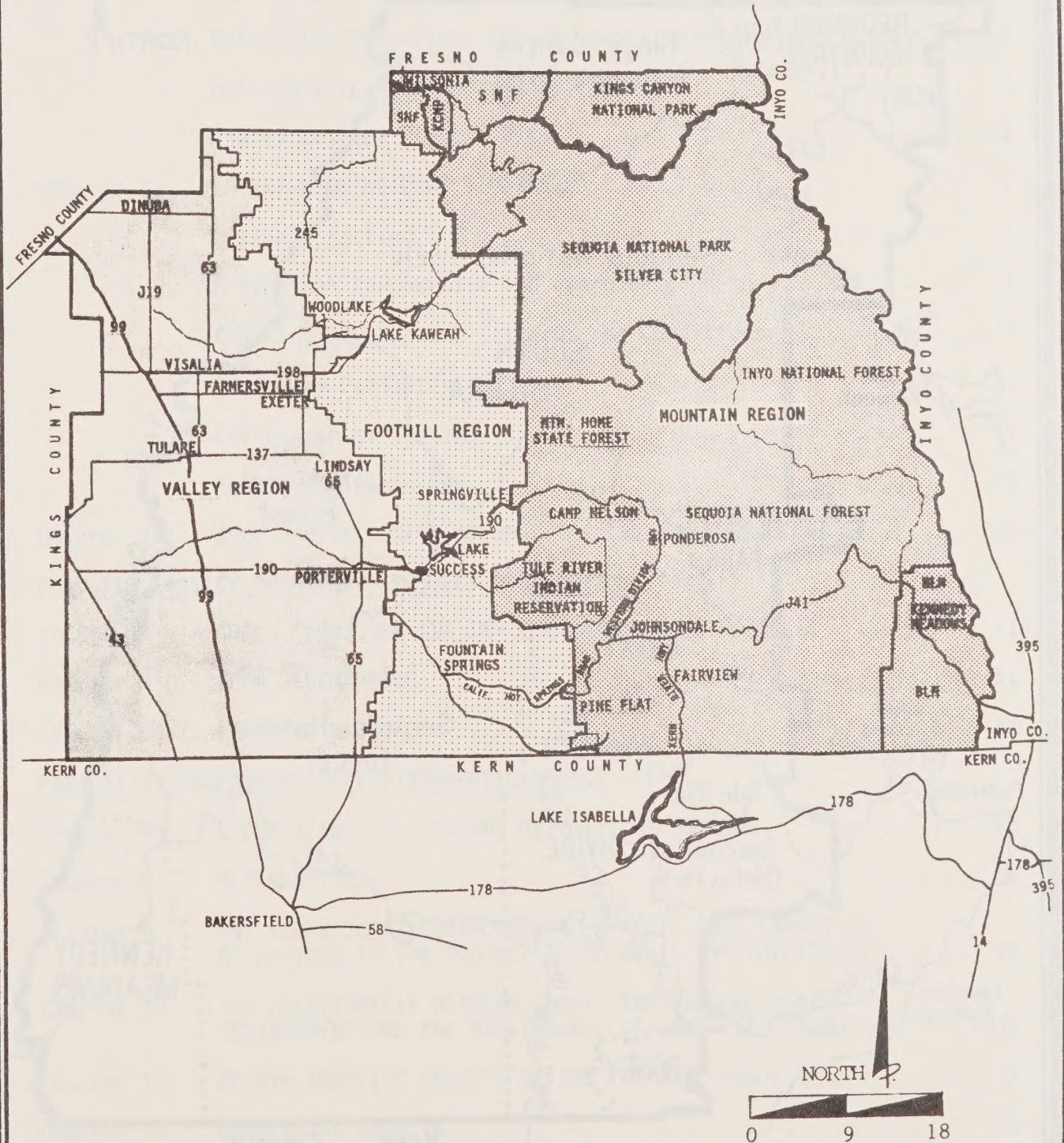
The sub-area plans will provide more specific and concise policy guidance in order to respond to the unique characteristics of each planning area, while at the same time reinforcing principles from the 1963 Area General Plan which are applicable to the mountain region.

The document which follows is the Kennedy Meadows Plan, the first adopted sub-area plan of the Mountain Plan.

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GENERALIZED PLANNING REGIONS



MOUNTAIN REGION

TULARE COUNTY

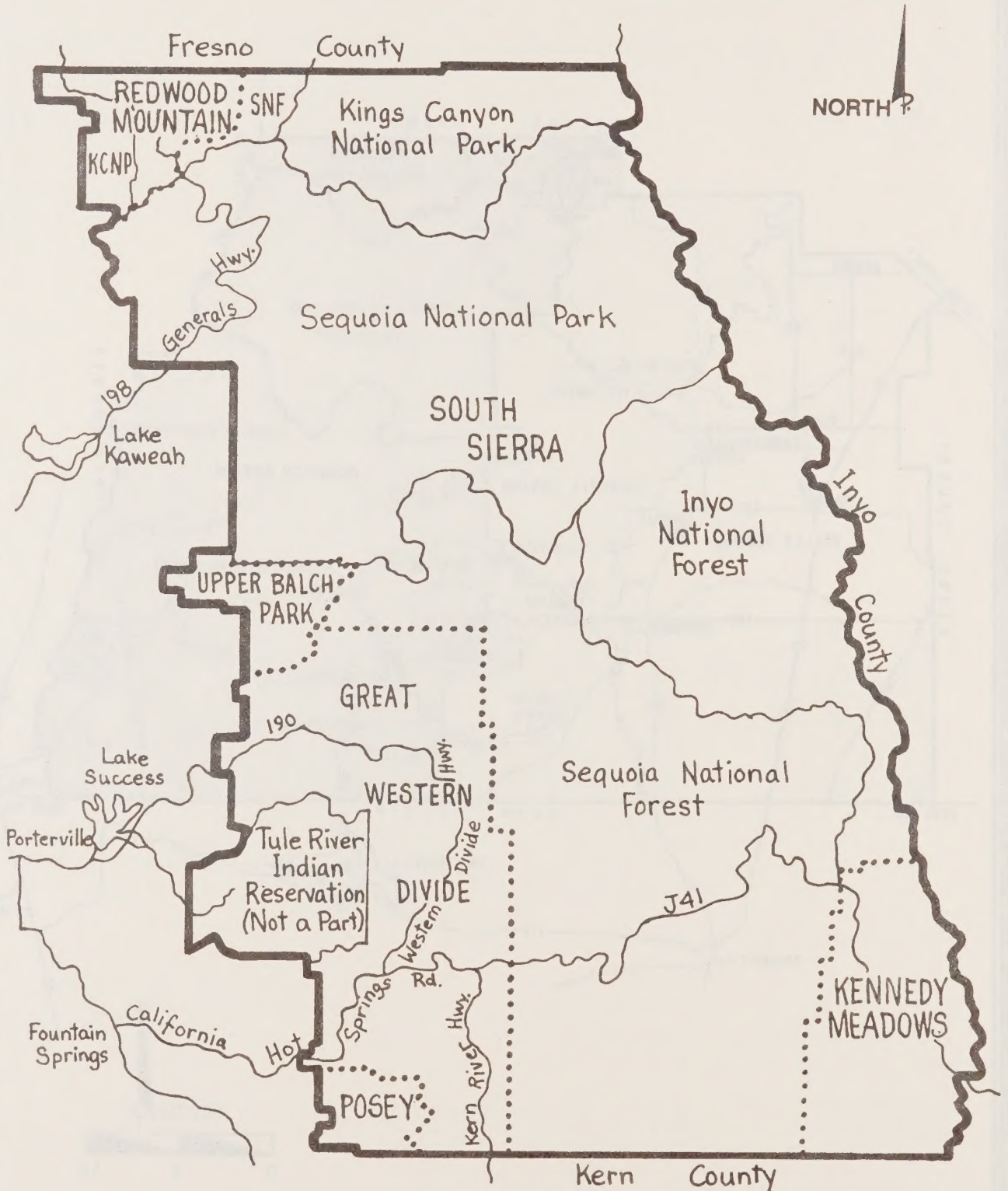


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Part I:

Inventory

CHAPTER 1

INTRODUCTION TO THE KENNEDY MEADOWS PLAN

The preparation of the Kennedy Meadows Plan was authorized by the Tulare County Board of Supervisors in response to an increasing need for a plan for the Kennedy Meadows area which accurately reflects the current needs and priorities of the community's residents and the County as a whole. This plan supercedes the 1963 Tulare County Area General Plan and provides a contemporary framework for continuing growth within the Kennedy Meadows area.

This plan has been formulated with the opinions and other input of interested residents and property owners within the community. A public opinion survey was conducted within the community as a means of identifying local values and preferences.

As with any plan, the contents of this Plan are not considered to be absolute. Planning is a continuous process and, to be effective, requires periodic re-evaluation and revision to reflect changing needs and priorities. Once adopted, this plan should, therefore, be reviewed on a regular basis with the assistance and participation of local citizens and groups. It is recognized that it is difficult to satisfy each and every property owner's desires under the General Plan development process. It is also difficult to pin-point which properties will be first proposed for development and which will fulfill a recognized need in the community, if developed.

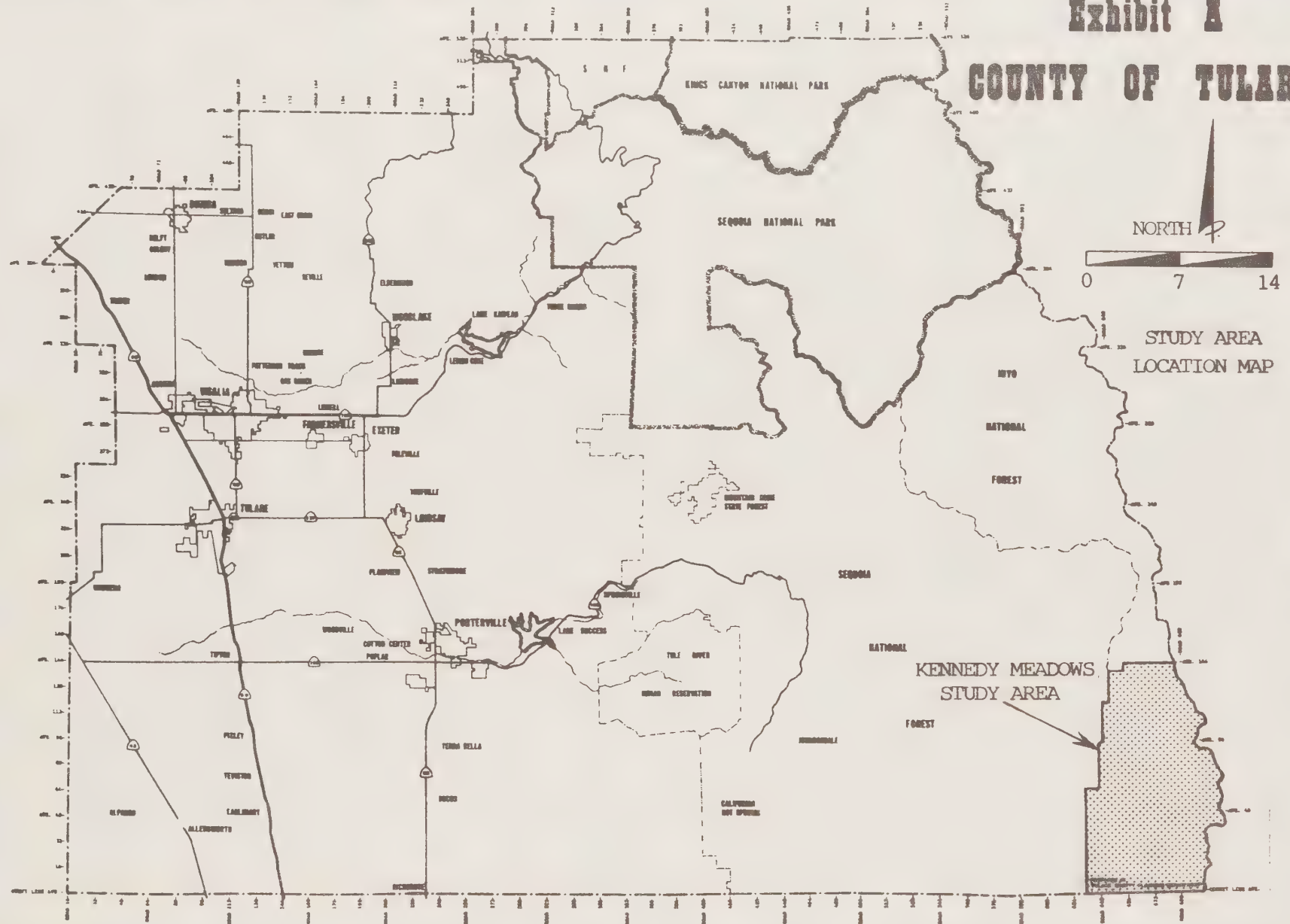
It is an adopted policy of the Tulare County Board of Supervisors to allow landowners, developers, residents, and other interested parties or agencies to request, from time to time, that the County amend it's general plan in order to:

- "(1) Permit the approval of amendments to the County Zoning Map which would otherwise be inconsistent with the County's general plan; or
- (2) Allow subdivision maps to be approved which would otherwise be inconsistent with the County's general plan; or
- (3) Establish revised land use planning rules, objectives and standards in particular areas of the County which more closely reflect the aspirations and desires of residents and landowners in the community; and

In deciding whether or not to initiate the amendment, the board shall, among other considerations, give consideration as to the public need or necessity of the proposed amendment, and whether the proposed amendment would further the goals, objectives and policies of the general plan and not obstruct their attainment."

By following this policy, it is anticipated that the Kennedy Meadows Plan can continue to provide meaningful and necessary guidance for the development of the community in the foreseeable future.

Exhibit A COUNTY OF TULARE



AUTHORITY AND SCOPE OF THE KENNEDY MEADOWS PLAN

California Government Code Section 65300 et seq. requires that each local agency (county or city) prepare and adopt a comprehensive long-term general plan for the physical development of the lands within its boundaries. A general plan must function as "a statement of development policies" and must include a diagram(s) and text setting forth goals, policies, standards and plan proposals. The plan must include all of the following elements: land use, circulation, housing, conservation, open space, noise, and safety. In addition, State law provides that a local agency may include one or more of several optional elements, depending upon the needs and characteristics of the jurisdiction.

Within the County of Tulare, the General Plan has been historically developed on a county-wide basis; the County's development policies, therefore, emphasize county-wide issues and concerns. In establishing land use planning policies on an areawide basis, the Tulare County Board of Supervisors also recognized that most of the unincorporated communities (including the Kennedy Meadows area) have localized land use needs and problems which should be addressed in a specific manner. Therefore, plans are prepared for individual communities or planning areas, with primary emphasis placed upon land use and traffic circulation planning.

In accordance with the requirements of State Planning Law and established County procedure the Kennedy Meadows Plan will present the following information:

Land Use:

The "Land Use" portion of the plan designates the proposed general distribution and general location and extent of the uses of the land for housing, business, open space, recreation, and other categories of public and private uses of land. The land use plan includes a statement of the standards of population density and building intensity recommended for the various segments of the planning area.

Circulation:

The "Circulation" portion of the plan will provide a means to maintain the existing public road network, and a means for development and maintenance of new private roads to serve the area. The Plan will show the general location and extent of existing publicly maintained roads.

THE PLANNING PERIOD

To provide a definitive tool for guiding future growth, an area plan must be designed to be implemented within a realistic time frame, which is termed the "planning period." For the Kennedy Meadows Plan, the planning period encompasses a time frame of approximately 20 years. This does not mean, however, that the area plan will remain static during this period. As conditions and needs within the community may change during the planning period, the area plan must be periodically reviewed so that appropriate modifications can be made. In this way, the plan will continue to serve the community in an effective manner throughout the planning period.

RELATIONSHIP TO OTHER TULARE COUNTY GENERAL PLAN ELEMENTS

The County of Tulare has adopted all of the general plan elements required by State law (Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety) and also has adopted optional elements (Urban Boundaries, Recreation, Water and Liquid Waste Management, Aviation, and Public Buildings). These elements are structured for application on a county-wide basis and are therefore broad in scope, thus typically addressing the Kennedy Meadows planning area in a general manner only. Nevertheless, as all general plan elements have essentially equal status under the law, the policies and directives established in these adopted elements that are applicable to the Kennedy Meadows Planning Area must be followed.

The Kennedy Meadows Plan refines the County's general plan policies to reflect conditions and needs specific to Kennedy Meadows and its citizens. As mentioned earlier, this refinement will primarily focus upon land use and circulation issues.

RELATIONSHIP TO OTHER AGENCY PLANS

The U. S. Forest Service (Department of Agriculture) and the Bureau of Land Management (U. S. Department of Interior) are both in the process of preparing long-range plans affecting lands in the vicinity of or adjacent to lands in the Kennedy Meadows Planning Area.

In November of 1985 the National Forest Service Office in Porterville in Tulare County circulated for public review a Draft Land and Resource Management Plan (LRM) and Draft EIS for the Sequoia National Forest, which is adjacent to the westerly Study Area Boundary (also the Forest Service/BLM boundary). The DEIS analyzed 10 different alternatives, including the "Preferred Alternative" which corresponds with the Proposed Land and Resource Management Plan. Through an interagency agreement between the Forest Service and the BLM the area designated by the BLM as the Rockhouse Wilderness Study Area was evaluated by the Forest Service in the various alternatives. The "Preferred Alternative" or LRM Plan proposed that of the 35,600 net acres in the Rockhouse Wilderness Study Area, 12,700 acres should be recommended for wilderness. (The Forest Service recommendation can only be implemented by an Act of Congress.) The balance of the 35,600 acres of the Rockhouse Wilderness Study area (generally that land north and west of the Long Valley Loop Road and south of Kennedy Meadows Road) is recommended for "wildlife/dispersed recreation". The 12,700 acres recommended for wilderness lie generally south and west of the Long Valley Loop Road and the BLM Long Valley Campground (the road and campground are excluded from the area recommended for wilderness designation). Approximately 3/5 of these acres lie within Tulare County in the Kennedy Meadows Study Area. The remainder of the acreage lies within Kern County. Essentially, the wilderness designation would prohibit any type of motorized vehicles or equipment in the area, and would remain an area of undeveloped federal land without permanent improvements or human habitation and would be managed to preserve natural conditions.

In its review of the Draft LRM Plan and DEIS, the County Board of Supervisors chose to support the High Market Alternative, stating in its response to the Forest Service that "... the High Market Alternative best meets the needs of Tulare County citizens in that it presents a balanced approach to forest management while emphasizing timber yield. An approach incorporating these two

elements is consistent with the County's General Plan and will assure compatibility between Forest Service planning and local planning." In addition, the letter indicated that the County would take exception to that portion of the High Market Alternative which recommended 9,710 acres of additional wilderness in the Kennedy Meadows area of Tulare County. Based on past positions of the Board of Supervisors, no recommendation for additional wilderness would have been supported by the County, including those 12,700 acres recommended for wilderness in the "Preferred Alternative".

The Bureau of Land Management announced in early February its intent to prepare a long-range plan for resource management called the Walker Pass Coordinated Resource Management Plan for the Chimney Peak Management Area, which includes the areas of BLM jurisdiction surrounding the Kennedy Meadows Planning Area. At this time, BLM is forming steering committees and technical review teams who will participate in developing this long range plan for resource management. The steering committees and the technical review teams will be made up of representatives from affected agencies, including Tulare County, as well as volunteering individuals with interest in various topic areas such as wildlife, recreation, cultural resources, range, mining, and watershed, etc.

To the extent possible, Tulare County will be monitoring the progress of these and other agency plans as they develop in order to respond in an appropriate fashion to any impacts they might have on the Kennedy Meadows Plan. The Tulare County response to other agency plans may take the form of recommending changes to that agency's plan, or it may result in adjustments to the Kennedy Meadows Plan over time.

USE OF THE KENNEDY MEADOWS PLAN

The Kennedy Meadows Plan prescribes the manner in which the Planning Area will develop and grow in the foreseeable future. Its policies will form the basis for future decisions by the County of Tulare regarding requests for building permits, zone changes, divisions of land, and other development review processes. In addition, as the plan establishes development densities and prescribes land uses, it will undoubtedly influence private decisions pertaining to land purchases and development proposals within the Kennedy Meadows Planning Area. Finally, as the plan contains standards for the development of property, in conjunction with various State laws and County ordinances, it provides the authority for requiring necessary physical improvements in conjunction with private development projects such as private road improvements, which enhance the physical, social and economic environment of the community while protecting the health, safety, and welfare of its citizens.

CHAPTER 2

THE KENNEDY MEADOWS STUDY AREA

REGIONAL SETTING

The Kennedy Meadows Study Area is situated in the western slopes of the Sierra Nevada mountain range within the Kern Plateau and lies immediately east of the South Fork Kern River in the extreme southeast corner of Tulare County. Access to the area is provided by Kennedy Meadows/Nine Mile Canyon Road (J41) which connects to U.S. Highway 395 to the southeast, and by Sherman Pass Road to the northwest which traverses the Sierra Nevada to the western side of the mountain range providing access to such mountain communities as Johnsville and California Hot Springs. The Planning Area is approximately a 4 to 4-1/2 hour drive from the Tulare County seat of Visalia and is about a 30 to 40 minute drive from Inyokern and Ridgecrest, the nearest communities, located in Kern County. Please refer to Exhibit B - Kennedy Meadows Study Area.

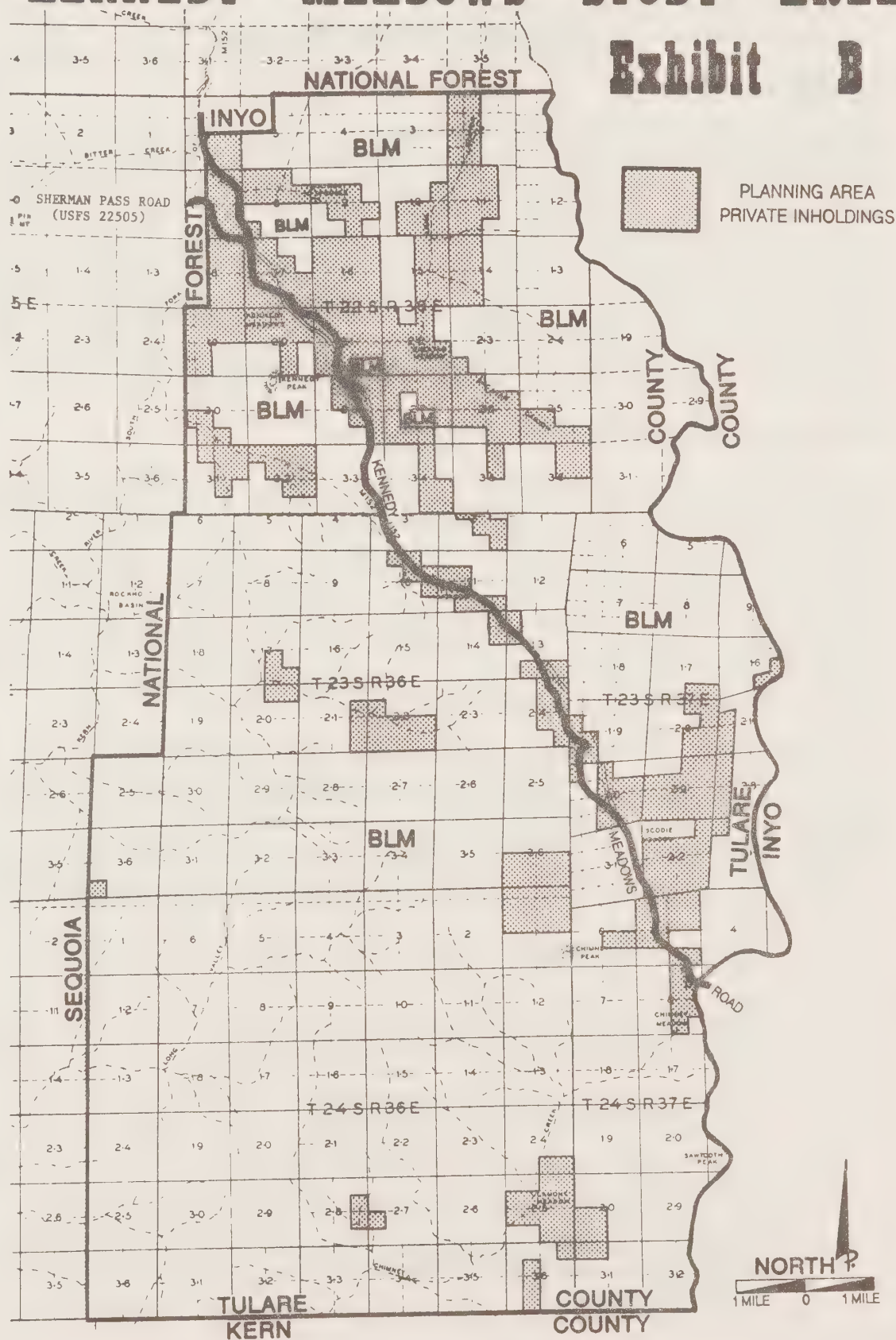
HISTORICAL PERSPECTIVE AND EMERGING CONCERNS

Historically, the lack of private and public utilities, services and improvements, environmental factors and prevailing market forces have resulted in a low intensity land use pattern in the Kennedy Meadows Planning Area. The Planning Area is characterized by the predominance of the smaller parcels and residential development being clustered in the Kennedy Meadows proper area (northwest portion of the study area), existing commercial uses and public facilities being established in the Kennedy Meadows proper area along improved public roads, larger parcels in the isolated and peripheral areas of the Planning Area and extensive agricultural uses (grazing, primarily) occurring away from (outside) or peripherally to Kennedy Meadows proper.

In recent years, development interest has increased markedly in the Kennedy Meadows area. In turn, pressures are emerging for development outside the areas historically considered appropriate for development. Further, present land use policy and regulations applicable to the Planning Area are inadequate to deal effectively with the land use and circulation issues Kennedy Meadows is now confronting. A more contemporary and specific policy framework is needed. Therefore, the proposed Kennedy Meadows Plan is being prepared to:

1. Address land use and circulation issues in a comprehensive fashion (as set forth in State law).
2. More specifically meet the current needs and address the issues germane to the Kennedy Meadows Planning Area.
3. Assure that development in Kennedy Meadows occurs in a manner that is consistent with other County general plan elements.
4. Assure that development in Kennedy Meadows occurs in a manner that is consistent with prevailing community opinions and values.
5. Promote land use activities consistent with the level of service that can reasonably and cost effectively be provided by public and private agencies.

Exhibit B



6. Recognize current market demand for development while ensuring that it occurs in a fashion that is consistent with precepts of planning practice and within the parameters established by existing constraints in the Planning Area.
7. Establish an up-to-date land use plan that strikes an acceptable balance between possible competing public interests.

Given the strong orientation of the planning area, both physically and practically to the Inyo/Kern County regions to the southeast, it may be reasonable to consider a county boundary adjustment between the three counties, in order that the public service and facility needs of the present and future residents of the Kennedy Meadows area can be met in the most efficient and cost-effective manner. Inyo County has replied that they are not interested in discussing this option. Kern County has indicated they would be willing to discuss the matter further. As yet, no time table has been established for such a discussion.

EXISTING DEVELOPMENT PATTERNS AND CONDITIONS

Geographics/Land Use/Zoning: The Kennedy Meadows Planning Area consists of roughly 16,000 acres of privately owned land which are totally surrounded within Tulare County by public lands administered by the U.S. Forest Service and Bureau of Land Management. The Planning Area includes places known locally as Big Pine Meadows and Chimney Peak, as well as Kennedy Meadows proper. The area contains approximately 368 separate legal parcels owned by about 250 different individuals. The most expansive area of private land lies within Kennedy Meadows proper, in the northerly portion of the planning area.



The majority of parcels less than 10 acres in size are located in the northwest portion of the Planning Area in Kennedy Meadows proper. The majority of parcels less than 5 acres are generally close to Kennedy Meadows Road. Parcels less than 5 acres were created prior to 1973, before a 5 acre minimum parcel size was established for the area. The majority of parcels greater than 40 acres are situated in the periphery of or in the southern half of the

Planning Area or in isolated areas completely surrounded by federal lands. Similarly, all of the parcels being used for extensive agricultural use (grazing) lie away from (outside) or peripherally to Kennedy Meadows proper. The predominance of residential uses and all of the commercial uses are situated in Kennedy Meadows proper. In summary, Kennedy Meadows proper exhibits the following characteristics unique to the area:

1. The largest contiguous area of privately owned land.
2. The largest concentration of smaller parcels.
3. The most extensive network of existing roads.
4. The largest concentration of residential development.
5. The primary location of existing commercial uses.
6. The primary location of permanent resident population.
7. The primary concentration of human activity.
8. The location of the main public (county) facilities in the Planning Area (namely the fire station and the refuse disposal site).
9. A proven history of water availability.
10. The areas including lands already zoned for development purposes.

The following two tables show the breakdown of acreage by parcel size ranges and by zoning for parcels which presently exist within the planning area:

Table 1-1			Table 1-2		
ACREAGE BY PARCEL SIZE			ACREAGE BY ZONING		
Parcel Size (in ac.)	Acreage	% of Total	Zoning*	Acreage	% of Total
0-2.5	169.38	1.06	A-1	15,718.83	98.61
2.6 - 5	192.20	1.21	0	57.39	0.36
5 - 10	367.08	2.31	PD-C-2	5.20	0.03
10-20.5	349.66	2.20	R-A-M-57	29.89	0.19
20.6-39.9	571.84	3.58	R-A-M-87	128.69	0.81
40 (or sectional breakdown)	2,628.04	16.48			
40 & greater	<u>11,661.80</u>	<u>73.16</u>			
TOTALS	15,940.00	100.00%	TOTALS	15,940.00	100.00%

* Definitions:

A-1 (Agricultural Zone, 5 acre minimum parcel size)

0 (Recreation Zone, 10,000 square feet minimum parcel size; 20% coverage maximum)

PD-C-2 (Planned Development - General Commercial Zone)

R-A-M-57 (Rural Residential - Special Mobilehome Zone, 57,000 square foot minimum parcel size)

R-A-M-87 (Same as above, 87,000 square foot minimum parcel size)

Of the 368 legal parcels in the planning area roughly 69% (consisting of 10,402 acres) are vacant and undeveloped. Of the 368 legal parcels 30% (or roughly 5,500 acres) are partially developed with one or more or a combination

of single-family dwellings, mobilehomes, and/or travel trailers and sheds or other accessory structures. A very small percentage of the existing dwellings are occupied year round. The majority of residences are occupied on a seasonal basis. (Please refer to Section entitled Demographics for related information.) The remaining three commercial parcels (general store, Irelan Cafe, and Grumpy Bear) and government parcels constitute approximately .06% of the planning area by acreage (9.89 acres) and are all located in the northern portion of the planning area, in Kennedy Meadows proper. The only extensive agricultural use within the planning area is grazing. The following table summarizes the existing housing supply:

Table 1-3

Housing by Type (1985)

Type	Number of Dwelling Units	% of Total
Standard Single Family	90 (detached)	51.1
	2 (attached)	1.1
Mobilehome	23	13.1
Travel Trailer	61	34.7
Multiple Family	0	0.0
TOTAL	176	100.0%

Source: September 1985, Tulare County Building and Planning Department Land Use Survey.

Roads and Access: The primary access to properties within the planning area is from Kennedy Meadows Road, a County-maintained road, roughly 15 miles in length. This road runs the entire length of the planning area connecting with Sherman Pass Road, a USFS maintained, paved road (average right-of-way width of 66 feet), near the northerly Sequoia National Forest boundary, and connecting with Nine Mile Canyon Road within Inyo County. Kennedy Meadows road has an average paved width of 26-30 feet within an existing 60-foot right. According to the Tulare County Public Works Department, Kennedy Meadows Road is also part of an alignment designated as a Federal Aid Secondary (FAS) (beginning at the easterly termination of State Highway 190 near Quaking Aspen east of Springville and running south along the Great Western Divide Highway to the townsite of Johnsondale, then easterly along Sherman Pass Road to Kennedy Meadows Road and then southerly along Kennedy Meadows Road and Nine Mile Canyon Road to U. S. Highway 395). The FAS designation indicates that Kennedy Meadows Road is eligible for Federal Funds as long as upgrading of the road complies with FAS road standards, which for Kennedy Meadows Road would be an ultimate right of way width of 84 feet. This FAS right of way incorporates two 12-foot paved travel lanes for 2 way traffic, two 8-foot all weather shoulders, and clear zones for cut and fill slopes and graded shoulders.

The Tulare County Public Works Department has indicated that Kennedy Meadows Road has a present theoretical design capacity of 2000 vehicles per hour under "ideal" conditions, according to "Fundamentals of Traffic Engineering" by Homburger and Kell, Institute of Transportation Studies, University of California, Berkeley, California, 1981. "Ideal" conditions are defined to include uninterrupted flow, free from side interference, only passenger cars in the traffic stream, 12-ft. traffic lanes, and adequate shoulders, no obstruction within 6 ft. of the edge of pavement. Realizing that not all of these ideal

conditions exist on Kennedy Meadows Road, the estimated vehicles per hour would be somewhat less. However, the present use of the road is estimated by the Public Works Department to only be less than 400 average daily trips (ADT), well under a reduced theoretical design capacity.

Nine Mile Canyon Road (presently in the U.S. Forest Highway system) is unpaved for a distance of about 2 miles beginning at the Tulare/Inyo County line, after which it is a paved 2-lane road for roughly 9-10 miles to its intersection with U. S. Highway 395 (the major north-south route on the eastern side of the Sierra Nevada mountains). Nine Mile Canyon Road, according to Inyo County, has been approved for a paving project for the 2.5 mile unpaved portion during the 1988-89 fiscal year. For the majority of permanent residents and property owners, this southerly route into Kennedy Meadows is the most frequently used route for several reasons: 1) Residents in Kennedy Meadows have mail delivery to post office boxes in nearby Inyo-Kern and Ridgecrest (roughly 30-40 miles away from Kennedy Meadows proper), 2) A large percentage of property owners have their permanent residences in southern California and the Nine Mile Canyon Road connection to U.S. Highway 395 provides the most direct route to the area, and 3) Major services such as schools, shopping and fuel supplies, as well as employment opportunities are available in the Inyo-Kern and Ridgecrest area.

Kennedy Meadows Road, Goman Avenue (serving the fire station and County disposal site), Pinyon Village Road (County-maintained) and Sherman Pass Road (US Forest Service maintained) are the only paved roads in the planning area. The remainder of the roads are unpaved and vary in condition from good and traversable by 2 wheel drive vehicles to poor and traversable only by 4 wheel drive vehicles. The majority of the non-paved roads are privately owned and maintained. One exception is Long Valley/Chimney Peak Road, which is owned and maintained by the BLM. This road potentially serves 31 privately-owned parcels.

Demographics: Due primarily to its remoteness and lack of services, the Planning Area has been characterized over the years by a very small permanent population. The 368 existing parcels in the Planning Area are owned by about 250 different property owners. Approximately 23 property owners are estimated to be permanent or year round residents in Kennedy Meadows. According to Larry Mills, resident and volunteer fire chief and also a BLM fireman at the County fire station, these 23 property owners represent approximately 47 permanent residents including children as well as adults. Several ranch owners have year round care takers on their property; these are included in the estimated 47. Utilizing these figures, about 10% of the property owners reside in the Planning Area on a permanent basis, and 90% of all property owners have a permanent residence somewhere other than Kennedy Meadows. Based on the responses in the opinion questionnaire that was conducted in the area (assuming that the 57% who did respond are representative of all the property owners) these percentages are slightly different: 87% have permanent residences somewhere other than Kennedy Meadows, 13% reside permanently in Kennedy Meadows. Based on our best estimate, there are less than a half dozen school age children in the planning area and they attend schools in Kern County through inter-district agreements with Tulare County school districts. Tulare County schools are obligated by State law to pay an in-lieu-of-transportation fee to parents of school children in areas where bus service is not available. This fee compensates the families having to provide their own transportation regardless of whether they attend school inside or outside Tulare County.

Fiscal/Economics: During the 1984-1985 tax year, property taxes in the planning area constituted 0.18% of total county taxes based on the 1% of total secured assessed value established by law. The following chart compares assessed values for land and improvements and taxes generated in the planning area and Countywide for the 1984-1985 tax year.

	Table 1-4 ASSESSED VALUE (SECURED)			PROPERTY TAXES
	Land	Improvements	Total	1% of Assessed Value
Planning area	\$8.9 mil	\$2.8 mil	\$11.7 mil	\$0.117 mil (\$117,000.00)
Countywide	\$1.9 bil	\$4.5 bil	\$ 6.4 bil	\$64.5 mil

COMMUNITY FACILITIES

Utilities and Public Services: Telephone and electric services are currently non-existent in the planning area. At present, residents rely primarily on ham radios for communication, and individual propane, butane, and gasoline tanks and generators for heat and power.

Water for domestic use is provided by individual wells. Liquid waste disposal is provided by individual on-site septic tank - leach field systems.

The County of Tulare provides and maintains a solid waste disposal site on land leased from the BLM in the planning area, but does not provide a collection service. Individuals transport their own refuse and pay a user fee for each disposal. The disposal site is operated through a contract with the County and is open all year. County equipment is used at the site. Snow removal and light road maintenance is provided through separate agreements between the County of Tulare and a resident in the planning area. The snow removal contract is for a not-to-exceed cost of \$3500 per year as set by the Board of Supervisors. Snow removal is provided on roughly 16 miles of County maintained roads only (Kennedy Meadows Road, Goman Avenue and Pinyon Village Road). The light road maintenance contract is for \$4000 per year and provides for such maintenance as keeping County roads clear of rocks and other hazards and general cleaning of culverts. Hazards or culvert damage that the contractor cannot handle as well as patching are taken care of by County Public Works Road Yard No. 5 in Terra Bella as the work orders warrant a trip to the area.

Police protection is provided by two Tulare County Sheriff's deputies who reside in Kernville in Kern County on the Kern River Highway roughly 34 miles south of Johnsville. Depending on weather and resulting road conditions and where the deputies are in their beat area when they receive a call, response time can be anywhere from 30 minutes to 2 hours. Generally, the deputies patrol the planning area during times of peak use (i.e. summer recreation) and when called for emergencies. Ordinarily, the area is not patrolled as part of a regular route, due to typical police tactics and the low population and relatively low crime characteristics of the area.

Fire protection is provided from a County of Tulare station located in Kennedy Meadows. The station is staffed by BLM employees, one of whom is a permanent resident of Kennedy Meadows and also serves as the volunteer fire chief, and

the others who are assigned or volunteer to the area during the summer months when the area is at high risk to wildland fires. There are no permanent County employees at the station with exception of a County fire captain who travels to the area once a month to provide 1-2 hours training to the volunteer fire force, consisting of 14 volunteers who include some experienced BLM employees. Equipment at the station consists of one County structural fire engine (Class A pumper) with a 500 gallon water capacity with a 500 gpm rating. The station also houses one BLM pick-up pumper, which carries hand tools and a maximum of three personnel. There is no fire hydrant system or water storage at the station beyond the carrying capacity of the trucks, so natural water sources are relied upon in the field as well as mutual aid from air and ground tankers from the USFS and BLM (sharing resources).



The planning area lies within 3 Tulare County elementary school districts, 1 high school district and 1 community college district, as follows:

- Springville Union Elementary
- Porterville Elementary
- Hot Springs Elementary
- Porterville Union High School
- Kern Joint Community College District

ENVIRONMENTAL SETTING

Topography/Geology: The Kennedy Meadows Planning Area is situated in a high Sierra Nevada Mountain valley at an elevation of about 6,500-7,000 feet. The planning area is part of the Kern Plateau and is characterized by broad flat meadows surrounded by steep, rugged hillsides. The area is somewhat desert-like due to low rainfall conditions (average 10-14 inches per year) and predominant vegetation of sage-brush and Pinyon Pines.

SUMMARY OF SOILS
KENNEDY MEADOWS PLANNING AREA

UNIT NAME	(TEXTURE) / % OF SOIL TYPE / EACH UNIT	CAPABILITY CLASS	SLOPES	PERMEA- BILITY	RUNOFF	EROSION NATURAL/DISTURBED	LIMITATIONS OR HAZAROS
Xerofluvents (519)	Sandy	Ive-4	0-5%	Moderately rapid	Very slow	Slight	Excessively drained, seepage ² , low A.W.C. ¹ , collapse, subject to flooding
Glenbrook-Lachim (540)	Coarse Sandy Loam 60%/20%	VIIe	30-60%	Rapid	Rapid/ very rapid	Slight/Mod.- High	Shallow, seepage, very low A.W.C.
Glenbrook-Lachim Rock Outcrop (541)	Boulders and coarse sandy loam 50%/20%/15%	VIII	30-60%	Rapid	Rapid/ very rapid	Slight/Mod.- High	Shallow, excessively drained, very low A.W.C., rock outcrop, seepage
Xerollic Haplargids - Lithic Xerollic Haplargids (544)	Gravelly sandy loam 60%/20%	VIe	5-30%	Mod. slow/ Mod. rapid	Medium/ Rapid	Slight/Mod.	Shallow, very low A.W.C., seepage
Lachim-Sacatar Variant - Glenbrook (545)	Loamy coarse sand 30%/30%/20%	VIe	5-30%	Rapid	Moderate/ Rapid	Slight/Mod	Shallow, very low A.W.C., seepage
Tunawee (551)	Bouldery loamy coarse sand	VIIe	15-50%	Rapid	Rapid	Slight/Slight- Moderate	Shallow, very low A.W.C., seepage
Litnic Haploxerolls - Torriorthentic Haploxerolls (552)	Very gravelly sandy loam - 60%/20%	VIIe	30-60%	Mod./Mod. Rapid	Rapid/ very rapid	Slight/Mod. - High	Shallow, very low A.W.C., seepage
Four Star Variant (554)	Fine sandy loam	Ive-1	0- 5%	Mod.	Slow	Slight/Slight	High seasonal water table, subject to flooding, seepage, alkaline
Four Star (555)	Sandy loam	IYw-2	0- 5%	Mod. Rapid	Slow	Slight/Slight	Poorly drained, high water table, subject to flooding
Toll (556)	Loamy coarse sand	Ive-0	2- 9%	Rapid/Very rapid	Slow	Slight/Slight	Rapid permeability, subject to flooding, seepage, collapse
Scodie - Glenbrook - Deadfoot (557)	Gravelly loamy coarse sand - 35%/25%/20%	VIIe	30-60%	Rapid	Rapid/ very rapid	Slight/Mod. - high	Rapid permeability, very low A.W.C., seepage, boulders & stones
Indiano - Wortley (558)	Cobbly sandy loam 60%/20%	VIIe	30-60%	Mod. slow/ Mod. rapid	Rapid/ very rapid	Slight/Mod. - high	Shallow, seepage
Sacatar -Wortley - Lachim Variant (560)	Loamy coarse sand 30%/30%/20%	VIe	5-30%	Mod. rapid	Medium	Slight/Mod.	Shallow, low A.W.C., seepage
Scodie - Sacatar - Glenbrook (561)	Gravelly loamy coarse sand -35%/30%/15%	VIIe	5-30%	Mod. rapid/ rapid	Medium	Slight/Mod.	Shallow, low A.W.C., rapid permeability
Four Star Variant (sodic surface) (562)	Fine sandy loam	Ive-6	0- 5%	Mod.	Slow	Slight/Slight	High seasonal water table, strongly alkaline, seepage, flooding
Deadfoot - Scodie - Rock Outcrop (570)	Stony loam and coarse sand - 40%/20%/20%	VIII	30-60%	Rapid - very rapid	Rapid - very rapid	Slight/Mod.	Shallow, seepage, large % of rock
Rock outcrop (590)	Rock	VIII	5-80%		Very rapid	Slight/Slight	Strictly rock, no soils

Source: USDA, Soil Conservation Service, Tulare County Resource Conservation District, Northeastern Kern Soil Survey Area, Private Lands, Tulare County, January, 1986

¹ A.W.C. = Available Water Capacity ² Seepage means limitations for landfills and dumping of other potentially toxic materials besides sewage.

The geology of the area is largely fractured crystalline bedrock which contributes to highly permeable soils and intermittent groundwater supplies which collect in brecciated zones and arcuate fractures in the bedrock. In addition to the fracture network, there are localized alluvial fill and decomposed rock areas. The area geology poses a high risk situation for groundwater contamination from sewage disposal systems. Because soils tend to be sandy, permeability is typically too fast to allow proper leaching of effluent before it reaches the underlying bedrock. The problem is then further compounded as the unleached effluent reaches the hard dense aggregate underlying the shallow sandy soils. The bedrock essentially acts like a flume carrying the untreated effluent through fissures to the groundwater where contamination occurs.

Soils: In January of 1986, the United States Department of Agriculture, Soils Conservation Service, completed a soils survey for the planning area. It is the first comprehensive soil survey in the area that classifies soils within private inholdings. Soils information on BLM territory has historically been available. Please refer to Table 1-5 for a summary of soils found within the Planning Area. Maps showing the locations of these soils are available in the Tulare County Building and Planning Department, Visalia, California.

Seismicity: Kennedy Meadows lies in a high mountain valley on the eastern edge of the Sierra Nevada Mountains and is considered to be within the zone of influence of the Owens Valley fault. The study area is situated approximately 36 miles southwest of the Owens Valley fault. The southwestern portion of the study area is classified as S3S (South Sierra 3). The northern part is categorized as S3 and S4S (Sierra 3 and South Sierra 4) and the central and remainder of the area is classified as S4S (South Sierra 4). According to the Five County Seismic Safety Element, it is not appropriate that any one zone be indicated as more hazardous than another since each zone varies in its unique natural and man made characteristics. In general, though, an S3S zone would be "safer" than an S4S zone. Secondary hazards resulting from landslides or collapsible soils may be of greater significance in some zones.

The Seismic Safety Element provides the following descriptions for the seismic zones in the study area:

Zone S3 is located in the eastern Sierra Nevada Mountains, and is closer to the Owens Valley fault group than either Zones S1 or S2. Shaking should be moderate on hard rock, but could be intense on the alluvium of the valleys or on thick sections of weathered bedrock in the mountain meadows. The requirements of the Uniform Building Code Zone III should be adequate for normal facilities.

Zone S3S is located in the southeastern part of the (seismic) study area, and is characterized by hard to moderately hard granite or metamorphic rock. It is within the zone of influence of the seismically active area south of the Owens Valley fault. Shaking should be moderate on hard rock, but could be intense on the alluvium of the valleys or on the thick sections of weathered bedrock in the mountain meadows. The requirements of the Uniform Building Code Zone III should be adequate for normal facilities.

Hydrology and Drainage: Other than well log data that is available from State of California Department of Water Resources, the Tulare County Health Department, independent well drillers, and private property owners, limited information about the precise hydrological characteristics of the study area is available. According to Dr. Carl Austin, a registered professional geologist in the Ridgecrest area, who has conducted studies in the Kennedy Meadows area, "the fundamental reservoir for ground water at Kennedy Meadows is fractured crystalline bedrock. The fractures are of several types and there are two main fracture systems present that anyone attempting to quantify the availability of ground water must consider. These are (1) a major northwest trending shear zone with its subsidiary and complementary fractures and (2) the arcuate and radial fractures of the Coso Geothermal System. The main shear zone varies from a few tens of feet to nearly a 1/4 mile in width and where it has been drilled consists of open coarse brecciated unweathered granitic rock...and this massive ground water conduit extends from Little Lake, past Grumpy Bears, past the store, up Bitter Creek and on west to die out beyond the main Kern River...The principal arcuate fracture curves north up Long Valley just to the east..." (from letter to Dahl Hughes dated July 7, 1986. For complete letter see Appendix.) Because of the local geology, ground water for domestic use can be a hit or miss situation, but when found, can often result in high production wells. The primary precaution related to groundwater supplies is the need for careful location and installation of sewage disposal systems.

The reliability of the quantity and flow rate of this groundwater is not really known, except to the degree that it is represented by the well log data. The sampling of water well data that is available from the County Health Department is concentrated primarily in the northwest, or Kennedy Meadows proper, portion of the study area where the highest density of parcelization and single family development has occurred. The data indicates that the wells are being used for domestic rather than agricultural purposes. The depth of the wells vary from about 105 feet to 425 feet. Roughly 66% of the researched wells are over 200 feet deep. Water pressure varies from 0.5 to 60 gallons per minute (gpm). Because the depth of wells, water pressure, and other data from the well logs is so variable, and because the data has only been researched for a limited geographical area, it is difficult to draw any useful conclusions about groundwater availability that can be applied planning area-wide. Without a professional study which might provide such conclusions, water availability for any given parcel of land will need to be evaluated at the time development is proposed.

County and USGS (United States Geological Survey) maps indicate the existence of twelve springs scattered throughout the study area. The rate or volume of output from these springs is unknown, as well as whether they are perennial or intermittent. It is also unknown to what degree, if any, the springs are used. Additional inquiries with property owners may bear out the characteristics of each spring. In addition, BLM has proposed to develop six springs in their territory as part of the South Sierra Grazing Management Plan.

The South Fork Kern River is the most significant perennial water way in the area. It is located immediately west of the study area in the Sequoia National Forest. According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps, the northwestern portion of the study area (Section 18, Township 22 South, Range 36 East) is subject to flooding from this river.



These maps classify this area as "Zone A", an area "subject to a 100-year flood event where no base flood elevations and flood hazard factors have been determined" (FEMA). Only a small portion of two privately owned parcels are affected in Section 18. The remainder of the Planning Area is designated as a "Zone C", an area "subject to minimal or no flooding" (FEMA). A map of the affected area follows as "Exhibit C".

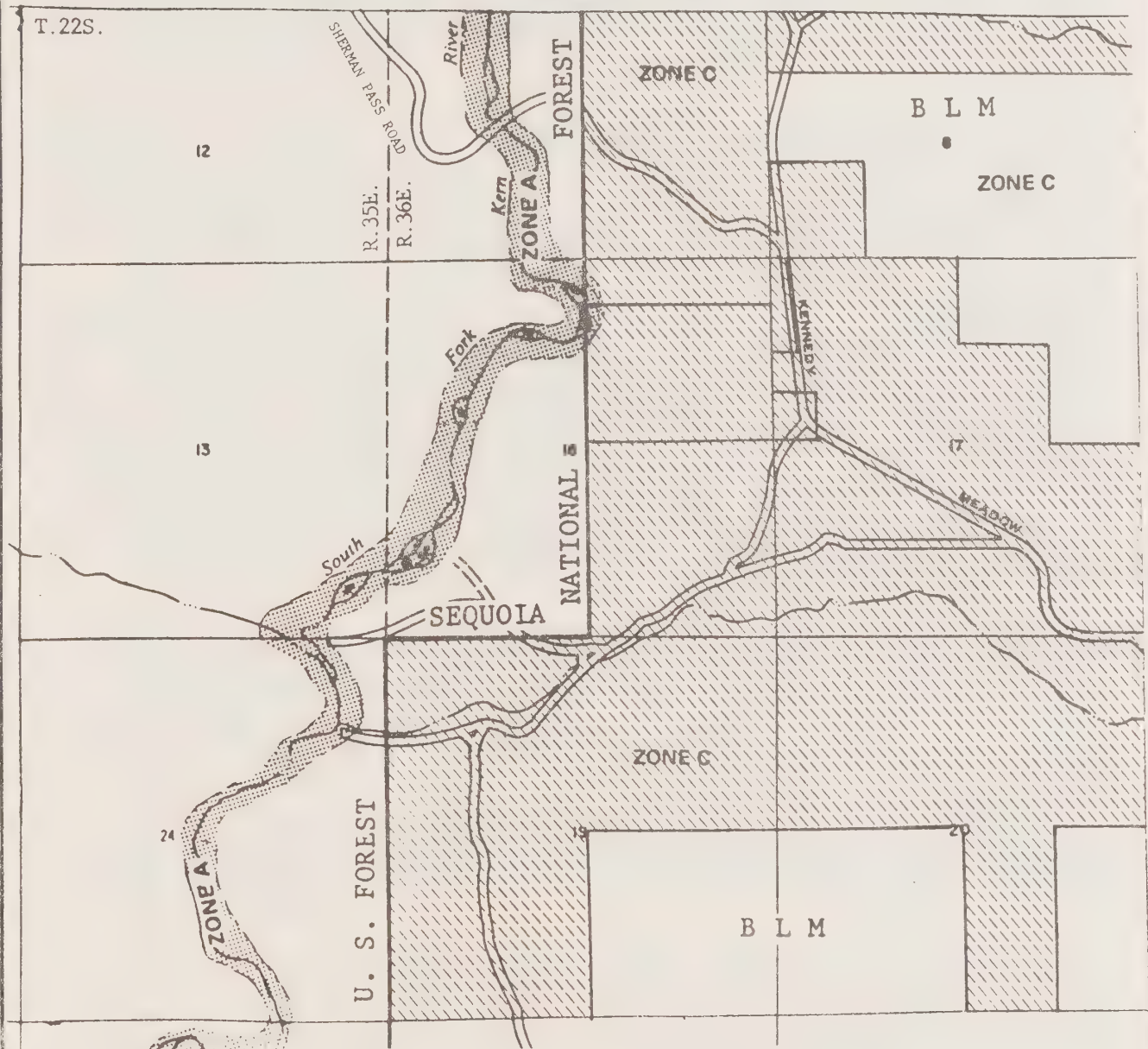
There are three perennial creeks in the study area which merge with the South Fork Kern River. The first perennial creek is Chimney Creek which is the most significant of the three. Chimney Creek is located in the southern portion of the planning area. It provides drainage for the eastern parts (Scodie Meadows, Bear Mountain and Chimney Meadows) and southern parts (Lamont Meadows and Lamont Peak) of the study area. Chimney Creek begins where three intermittent creeks meet at Chimney Meadows. It flows south to Kern County where it enters the South Fork Kern River. Chimney Creek is joined by a number of intermittent channels south of Chimney Meadows and Lamont Meadows before entering Kern County.


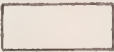

The two remaining perennial channels are located in the central (Big Pine Meadows) and western portions of the study area. These channels join the South Fork Kern River in two separate locations in Section 25, Township 22 South, Range 35 East, and in Section 14, Township 23 South, Range 35 East.

KENNEDY MEADOWS

AREAS OF FLOOD POTENTIAL

Exhibit C



-  ZONE A - AREAS OF 100 YEAR FLOOD (SOUTH FORK KERN RIVER)
-  ZONE C - AREAS OF MINIMAL FLOODING
-  PRIVATE INHOLDINGS



Source: Federal Emergency Management Agency, Flood Insurance Rate Maps, Plate 1150

There are two networks of intermittent creeks located in the western part of the study area. Though these networks are intermittent within the study area, they become perennial outside of the area before joining the South Fork Kern River.

The most significant network of intermittent channels is located in the northern portion of the study area. It consists of three channels: one flows south from Inyo National Forest, one flows west from Sacatar Canyon and one flows northwest from the southern part of Sacatar Meadows. They merge near Kennedy Meadows Road in Section 21, Township 22 South, Range 36 East, before entering the South Fork Kern River.

An intermittent creek also connects Windy Springs to South Fork Kern River in Section 7, Township 22 South, Range 36 East.

Vegetation: Vegetation in the study area is dominated by Pinyon pine and sage. Other types of vegetation such as buckwheat, rabbit brush, scrub oak, Nine Mile Canyon phacelia and California lilac are also present in the area.

Needle buckwheat (*Eriogonum Breedlovei* var *Shevockii*) is classified as federal candidate category 2. Under this classification the existing information indicates that the species may be a candidate to be included in the federal list of rare or endangered species, but substantial biological information to support the proposed rule is lacking. According to a report by the Dept. of Fish and Game, Natural Diversity Data Base, Needle buckwheat was last observed on BLM territory in the southern portion of the study area (Section 29, Township 24, Range 36) in May 1984. The exact location was given as 7.2 miles west of Lamont Peak along the 6640 foot MSL elevation. The area was described as open area on a divide in a Pinyon pine woodland. The species were found on the relatively flat granitic rock out crops.

Nine Mile Canyon phacelia (*Phacelia Novemmillensis*) is also considered as federal candidate category 2. Scattered colonies of this species were last seen on decomposed granite in the study area (Township 24, Range 36) at the 5400 foot MSL elevation in May 1967. Though in 1984 it was reported that the search to locate the species for five years had not been successful, this species is presumed to still exist.

According to the California Native Plant Society's Rare Plant Program, the following plants are from the list of Special Plants of Tulare County which are known or suspected to occur in the study area, as of Wednesday, September 25, 1985:

<u>Common Names</u>	<u>Scientific Name</u>	<u>Status State/Federal</u>
Kern County milkvetch	(Astragalus Subvestitus)	/C3c ¹
Limestone dudleya	(Dudleya Calcicola)	/C3c
Needle buckwheat	(Eriogonum Breedlovei)	C2 ³
Yosemite lewisia	(Lewisia Disepala)	/C3c
Twisselman's nemacladus	(Nemacladus Twissalmanii)	CR ² /C2
Chickwood oxytheca	(Oxytheca Caryophylloides)	4
Nine Mile Canyon phacellia	(Phacelia Novemmillensis)	C2
Dedecker's Clover	(Trifolium Dedeckerea)	/C3c

Wildlife: While the planning area provides habitat for variety of wildlife species such as Monache deer, Black bear, bobcats, birds and small game animals, this area contains two habitats of significance: Monache deer habitat and game habitat.

Monache Deer Habitat⁵: The eastern portions of Kern and Tulare Counties and the extreme southwestern part of Inyo County are considered the habitat for the Monache deer. This habitat consists of an estimated 607,900 acres dominated by the rugged crest of Sierra Nevada Mountains where elevations range from 4,000 feet MSL on the desert slopes of Inyo County to 12,000 MSL in Tulare County (Sequoia National Forest).

Based on seasonal migration, deer habitat is generally divided into three ranges: summer range, intermediate range and winter range. Each range could be further divided and described according to their specific use by deer (i.e., fawning areas, migration corridors and holding areas). Due to the unique function, each range should be considered as a key habitat necessary to the herd's viability. There are three significant ranges within the study area. These are: Holding Area, Long Valley Winter Range and Resident Deer Range. Although the summer range and intermittent range are not located within the study area, they will be briefly discussed below due to their important role as deer habitat.

Summer Range is located northwest of Kennedy Meadows within the Inyo National Forest in areas known as Monache Meadows, Troy Meadows, Casa Vieja Meadows, and Tunnel Meadows. It consists of 43,500 acres. Deer migrate to the summer range in late April and early May and spend the summer in the area until the inclement weather or subsequent forage condition force them to move to one of the winter ranges (normally around mid-November or early December).

The area between summer range and winter range is considered as intermediate range. The intermediate range is located on the extreme western portion of Inyo County, outside of the planning area. Vegetation limitation, including a lack of preferred browse plants beneath closed canopies of trees are often the primary reason that deer migrate quickly through their intermediate range.

- 1: C3c = Federal Candidate species; too widespread and/or not threatened.
- 2: CR = California State listed as rare.
- 3: C2 = Federal Candidate species; threat and/or distribution data insufficient to support listing.
4. "Special plant" of Tulare County, no other status given.
5. Monache Deer Herd Plan, 1980, State of California Dept. of Fish and Game.

The Holding Area consists of the central section of the study area. This area is located north of Long Valley Winter Range and acts as a delay site during winter migration. Deer arrive at a holding area sometime in October and move south to the winter range about November 15th.

The Long Valley Winter Range includes the southwestern part of the study area. At one time, the Long Valley Winter Range was considered the most important of the three winter ranges in the region (Haiwee, Cotton Wood and Long Valley Winter Range). However, the Monache Deer Herd plan indicates that the number of deer wintering in Long Valley has dwindled to the point that deer are relatively scarce and not easily seen. The reason for this decline in use are not fully known, but normal plant succession and conflict with livestock and humans are suspect. Deer arrive at this range around November 15th and leave the area in mid-May. The eastern and northern portion of the study area is considered as Resident Deer Range, according to Rod Goss, biologist at the Department of Fish and Game, resident deer are the same species as Monache deer (mule deer). However, unlike Monache deer, resident deer do not migrate more than 5 miles and stay in the same area all year round.

Upland Game Habitat: Kennedy Meadows is a part of the Monache-Walker Pass National Cooperative Land and Wildlife Management Area which is cooperatively managed by BLM and the State Department of Fish and Game. The Monache-Walker Pass National Cooperative Land and Wildlife Management Area is considered a "critical" habitat for a variety of upland game such as rabbits, quails, and chukars. The South Sierra Foothill Grazing Management Draft Environmental Impact Statement indicates that limiting factors for upland game include the amount and quality of escape cover, nesting cover, food and water.

Air Quality: All of Tulare County, and therefore all of the Planning Area, lies within the San Joaquin Valley Air Basin. The San Joaquin Valley Air Basin covers more than 25,000 square miles (refer to Exhibit D). The Air Basin extends as far north as San Joaquin County near the Sacramento River Delta area and as far south as the western portion of Kern County. The Air Basin is generally situated in the southern portion of the Great Valley and is bounded on the west by the Coastal Range, on the east by the Sierra Nevada Foothills and Mountains, on the south by the Tehachapi Mountains and on the north by the Sacramento Valley and Mountain Counties Air Basins.

According to the State Air Resources Board and the local Tulare County Air Pollution Control District staff, there are no known qualitative descriptions of the air quality characteristics of the Kennedy Meadows Planning Area specifically. Even though the micro-climatic or meteorological conditions for the Planning Area may not be the same as those for the San Joaquin Valley Air Basin in general, the Planning Area does lie within the San Joaquin Valley Air Basin, and therefore the only available description which applies to Kennedy Meadows is a description of air quality conditions for the entire Basin. This

Exhibit

D

CALIFORNIA AIR BASINS



description follows in the next paragraph. In addition, the closest monitoring station to the Planning Area at this time* is located in Visalia. Therefore, measures of pollutant concentrations can only be provided from that location. These measurements may or may not reflect actual conditions in the Planning Area.

The meteorologic and climatic conditions within the San Joaquin Valley Air Basin are usually favorable for the development of air pollution. The climate is mostly of the Mediterranean type with moist cool winters and warm dry summers. Light winds and atmospheric stability provide frequent opportunities for pollutants to accumulate in the atmosphere. The general air circulation, characterized by summertime up-valley (northerly) and wintertime down-valley (southerly) winds, permits the transport of pollution over long distances along the axis of the valley. Meteorological conditions can produce a high air pollution potential at any time of the year. Air pollution is most likely to occur when the atmosphere is stable and the winds light for long periods of time. Photo-chemical smog in the summer is enhanced by the light winds and the almost unbroken succession of warm, sunny days. "In fall and winter the atmosphere is often stable with only light winds for long periods of time. Often, in winter, a temperature inversion is based at or near the ground surface and tule fog conditions prevail. Under such conditions, pollutants in the atmosphere are not rapidly dispersed."¹

Other factors, besides areawide climate and meteorology, contribute to regional air quality. The agricultural, industrial and travel characteristics of persons living and working in Tulare County and the Air Basin generate materials which pollute the air. Concentrations of gaseous pollutants are largely generated by mobile and stationary sources. These pollutants include photochemical oxidants, carbon monoxide, nitrogen dioxide, sulfur dioxide and hydrocarbons.¹

Agriculture and related industries (considered stationary sources) being the dominant industry within Tulare County and the Air Basin, are the main contributors of particulate matter of TSP, Total Suspended Particulates.¹ Agriculture continues to contribute the largest percentage of particulate matter in the Air Basin measured in tons per day of average daily emissions: 36% in 1970² and 86% in 1979³ of all stationary source. For mobile and stationary

*NOTE: The U.S. Forest Service has indicated that they are in the process of setting up a "visual range" monitoring system at Bald Mountain for the purpose of assessing air quality in the Domelands Wilderness addition of 1984 as required by federal law.

1. Air Pollution in California - Annual Report 1973, State of California, Air Resources Board, Sacramento, California, January 1974.

2. Air Quality in the San Joaquin Valley Air Basin, State of California Air Resources Board, Sacramento, California, September 1973.

3. Emission Inventory 1979, State of California Air Resources Board, Sacramento, California, December 1982.

sources combined, agriculture contributed 32% in 1970² and 84% in 1979¹ in the Air Basin (refer to Appendix G for complete tables of 1970 and 1979 average daily emission inventories for the San Joaquin Valley Air Basin). Tulare County currently exceeds State standards for TSP (see Table 1).

Mobile sources are the main contributors of organic gases and oxides of nitrogen which are the precursor materials for the generation of photochemical smog in the atmosphere. Mobile sources were responsible for 53% and 22% respectively in 1970² and 1979¹ of total organic gases and 63% and 62% of oxides of nitrogen in the Air Basin. Tulare County currently exceeds Federal and State standards for ozone (see Table 1). Mobile sources contributed 82% of the total carbon monoxide pollutants in 1979¹; motor vehicles constituted 78% of the mobile sources in the Air Basin while the mobile source contribution of carbon monoxide in the Air Basin was similar in 1970 (83%)² the motor vehicle portion of mobile source total is down from 94% in 1970².

In order to view these percentages in proper perspective, it is important to note that they relate to dramatically different absolute totals in terms of pollution volume measured in tons per day as well as absolute increases in the number of vehicles on the roads and total population. Tons-per-day of average daily emissions for all pollutants for the San Joaquin Valley Air Basin totaled 3,767.5 in 1970² and 5,375.6 tons-per-day in 1979¹; a 42% increase in volume. Also, between 1970 and 1980, the number of registered vehicles in the Valley Air Basin increased from 1,004,256 to 1,426,425, a 42% increase³. (The 42% increase in both tons-per-day average daily emissions and registered vehicles is coincidental and the correlation of the increases is likely to be remote.)

Between 1970 and 1980, the San Joaquin Valley Air Basin experienced a 24.3% increase in population from 1,574,100 to 1,956,952. Tulare County experienced a 31% increase in population from 188,322 in 1970 to 245,738 in 1980⁴ (see Appendix D).

The original (prior to the Wilderness Act additions of 1984) Domeland Wilderness Area is a Class I area under the Clean Air Act. As such the U.S. Forest Service is required to protect air quality related values within the Wilderness. Regionally created pollutants do travel and may contribute to local air

1. Emission Inventory 1979, State of California Air Resources Board, Sacramento, California, December 1982.

2. Air Quality in the San Joaquin Valley Air Basin, State of California Air Resources Board, Sacramento, California, September 1973.

3. California Transportation Abstract 1983, State of California Department of Transportation, Sacramento, California, June 1983.

4. Tulare County Data Book, Tulare County Building and Planning Department, Visalia, California, August 1983.

quality condition just as pollutants locally in the Planning Area contribute to regional conditions. The quality of air over the Domelands Wilderness can therefore be affected both by pollutants generated by the Kennedy Meadows Area as well as by pollutants generated as far north as the Sacramento Delta which have the potential to be transported by prevailing northwesterly winds.

Archaeology/History: The aboriginal group that inhabited the Kennedy Meadows Area was known as the Tubatulabal (pine nut eaters). The Tubatulabal habitat region covered the drainage areas of both the North Fork Kern River and South Fork Kern River. The Tubatulabal subsistence economy was based entirely on gathering, hunting, and fishing. The known time period of habitation covers approximately 500 years up to the time of arrival by early settlers.

The early settlers first used the area for livestock grazing. Due to drought conditions in the San Joaquin Valley, and throughout southern California, livestock was first brought to the area, on a temporary basis, about 1840. In 1850 the area was used regularly for livestock grazing.

It was estimated that in 1852 as many as 15,000 cattle were grazing from Monache Meadows to Rockhouse Basin. During the years of 1894-96, a dry period occurred in the area and few cattle utilized the range. At this time 10,000 sheep were moved into the area to graze. Later, cattle were again returned to graze in the area.

Subsequent to the above described occupation of the Kennedy Meadows area, there have been numerous recorded archaeological sites in the region, (however, none within the Planning Area), and the potential for further sites is considered high by the California Archaeological Inventory Information Center in Bakersfield.

RECREATION RESOURCES

The Kennedy Meadows planning area is proximate to several types of recreational resources, which generally are either under the jurisdiction of the United States Forest Service (USFS), the Bureau of Land Management (BLM), or the National Park Service (NPS).

Pacific Crest National Scenic Trail: The Pacific Crest National Scenic Trail (PCNST) begins at the Canadian border above the state of Washington and extends southward to the Mexico border south of California. The PCNST is administered jointly by the USFS, the NPS, and the BLM. Of the trail's 2,572 mile length, 1,603 miles lie within California, 17.5 miles of which traverse the Kennedy Meadows area. The PCNST crosses the study area in two locations. It loops in and out of the area in Section 18 in Township 22 South, Range 36 East, for an approximate linear distance of 1200 feet. This is the only segment of the trail that crosses private property in the study area. This portion of the trail is administered by the USFS. The PCNST also crosses BLM territory to the south. The trail enters the study area at Section 18, Township 23 South, Range 36 East, and exits the study area at Section 32, Township 24 South, Range 37 East. Though not all of the Trail has been constructed, these segments in the study area are completed. Points of access along the BLM segment are at the Long Valley Loop Road near the Rockhouse Basin turn-off, and at Canebrake Road (also known as Chimney Peak Road) near the Chimney Creek Campground. The elevation of the Trail varies from 5,920 feet at the

private property location to approximately 8,000 at Bear Mountain in the BLM territory.

Wilderness Area: The Kennedy Meadows study area is also proximate to two wilderness areas: The Domelands Wilderness and the South Sierra Wilderness.

The Domelands Wilderness is adjacent to the westerly study area and USFS boundary and lies just southerly of Beach Meadows (Sherman Pass) Road, the northern-most access to the study area. Access to the Domelands is via Nine Mile Canyon Road from U.S. Highway 395 or from Chimney Peak Road via State Highway 178 (Walker Pass). East side trailheads are near Rockhouse Meadows and at the Long Valley Campground (BLM) located in the southerly portion of the planning area.

The South Sierra Wilderness, of which 53,400 acres lies within Tulare County and 9,600 acres lie within Inyo County, is split between the Sequoia National Forest (24,500 acres) and the Inyo National Forest (38,350 acres). The South Sierra Wilderness, while not immediately adjacent to the planning area is proximate to the northwesterly corner of the study area. South Sierra Wilderness borders Golden Trout Wilderness on its northern boundary and Dome Lands Wilderness on the south except for the Beach Meadows (Sherman Pass) Road corridor. It is all within the South Fork Kern River watershed. East side access is via Nine Mile Canyon Road from U.S. Highway 395 to Kennedy Meadows Road. From the west, access is from County Road M99 (Kern River Highway) via Sherman Pass (Forest Road 22505). At Blackrock Station forest roads lead to various trails into the wilderness area.

As a result of these wilderness designations, all vehicle access to the South Fork Kern River and other areas of the Wilderness is now prohibited. Visitors may enter the wilderness area on foot or on horseback. These wilderness areas offer recreational opportunities such as camping, fishing, hunting and hiking. Camping, however, is prohibited within 100 feet of trails and creeks. Visitors entering the wilderness area are required to obtain permits from U.S. Forest Service. Between September 1984 and September 1985, Dome Land Wilderness had 6,363 recreational visitor per day (vpd) and South Sierra has had 5,175 vpd.

Campgrounds: There are two BLM administered campgrounds in the study area: Chimney Creek Campground and Long Valley Campground. These campgrounds are open to the public all year round.

Chimney Creek Campground is located in Sections 13 and 18, Township 24 South, Range 36 East, adjacent to Pacific Crest National Scenic Trail. The campground facilities include 36 camping sites, pit-type toilets, and water hydrants (running from mid-May to October). The Chimney Creek Campground is reached by way of U.S. Highway 395 via Nine Mile Canyon and Canebrake Road (Chimney Peak Road) and from State Highway 178 (Walker Pass) via Canebrake Road.

Long Valley Campground is located in Sections 13 and 18, Township 24 South, Range 35 East, near the eastern boundary of Dome Lands Wilderness. It has 13 camp sites, pit-type toilets and water hydrants. The Forest Trail 36E05 provides access from this campground to the wilderness. Long Valley Campground is accessible via U.S. Highway 395 to Nine Mile Canyon and via Long Valley from from Kennedy Meadows Road.

Kennedy Meadows Campground is located to the north, just outside of the study area (in Section 31, Township 21 South, Range 36 East). Though it is located on the Inyo National Forest, it is administered and maintained by the Sequoia National Forest. This campground is also open to the public all year around and provides facilities such as 39 camping sites, pit-type toilets and water hydrants. The Pacific Crest National Scenic Trail provides access from this campground to South Sierra Wilderness. Kennedy Meadows Campground is accessible by U.S. Highway 395 via Nine Mile Canyon Road and Kennedy Meadows Road.

Hunting and Fishing: The study area is located within deer hunting Zone X-10. According to David Consoli, biologist at the Department of Fish and Game, hunters in X-10 Zone have had a 30% success rate where, statewide, the success rate has been 3%. Hunting season in the X-10 Zone consists of three periods between September 1 and December 31. The Department of Fish and Game issues a limited number of permits for each period.

The South Fork Kern River also offers fishing opportunities to the residents of Kennedy Meadows as well as the visitors. The majority of the South Fork Kern River is located within the Domelands Wilderness of the Sequoia National Forest outside and westerly of the Planning Area. Only a small segment of the River passes through privately owned lands within the Planning Area. That property is generally located in the northeast quarter portion of Section 18, Township 22 South, Range 36 East. It should also be noted here that the South Fork Kern River is a candidate for designation by Congress as a Wild and Scenic River. A bill to designate portions of the North and South Forks of the Kern River under the Wild and Scenic River Act passed the House of Representatives in 1986. A companion bill is pending in the Senate at the time of writing of this document.

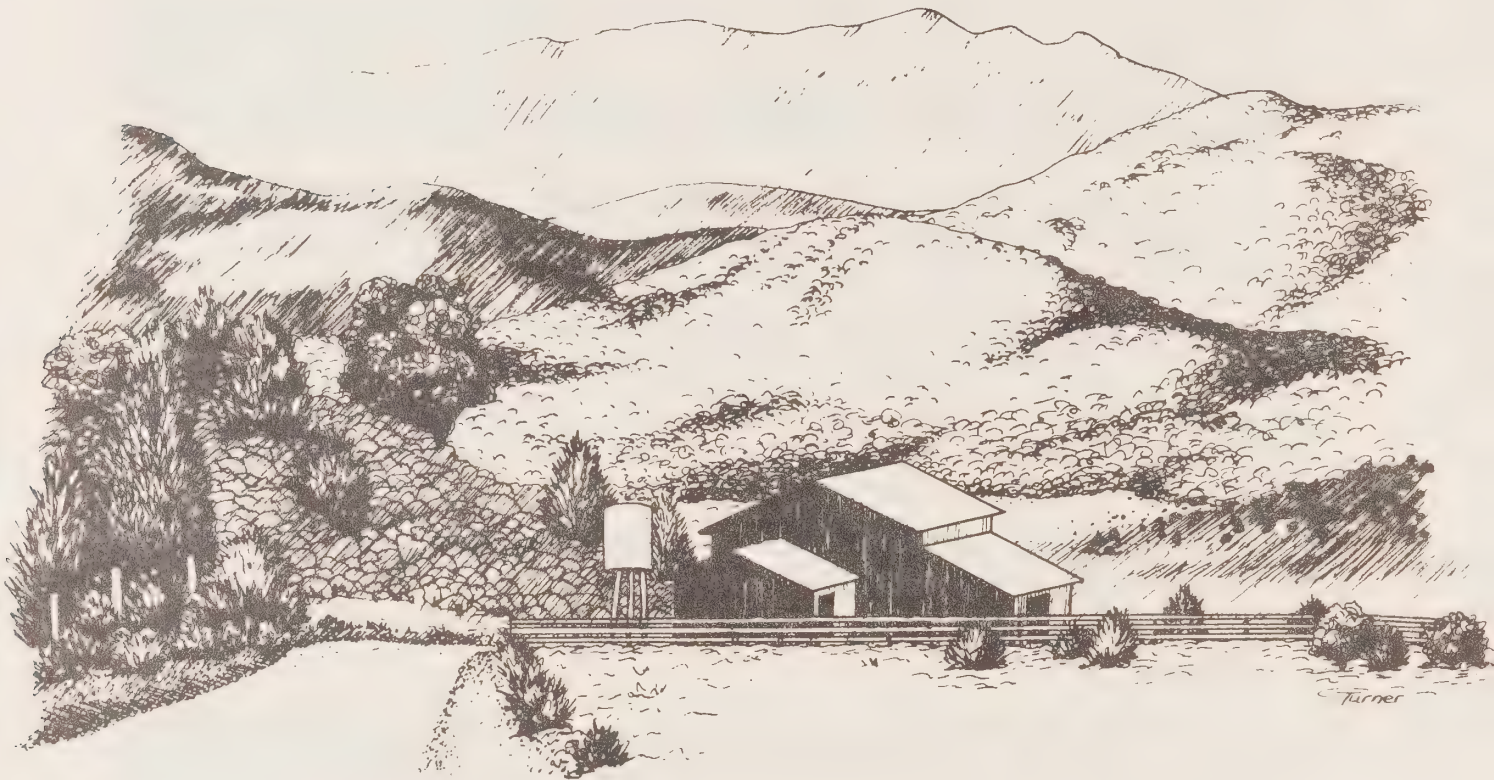
CHAPTER 3

GROWTH/DEVELOPMENT ASSUMPTIONS AND CONSIDERATIONS

The above presented facts and data concerning existing and anticipated future conditions lead to the formulation of certain assumptions and conclusions for the 20 year planning period as follows:

1. No electric or telephone service (except limited mobile service) will be extended to the planning area.
2. Very limited employment opportunities will be available within the planning area or on adjacent federal lands.
3. Both the USFS and the BLM will adopt resource and land use management plans that will reduce the potential for more intensive uses of public lands in and adjacent to the planning area.
4. The USFS proposed Peppermint Mountain Ski Resort, if built, will not have a growth inducing impact in the Planning Area.
5. The nature of recreation activities in and adjacent to the planning area will continue to be of low intensity (i.e., hiking, hunting, fishing, and camping).
6. Groundwater will not be uniformly reliable throughout the area and will restrict development of an intense nature.
7. Septic suitability of soils will be poor and will restrict dense development.
8. Suitability of the planning area for energy production, though uncharted, will be minimal; significant mineral resource production will not occur in the planning area, but may occur outside the area within the National Forest.
9. The most frequently traveled access into the planning area will continue to be from Inyo County via Nine Mile Canyon Road and U.S. Highway 395.
10. The most significant portion of traffic within the planning area will be from USFS and BLM related recreational users and timber harvesting activities taking place outside of the planning area.
11. The more intensive type of development proposed in the planning area will be along and adjacent to Kennedy Meadows Road.
12. Demand for privately owned mountain land will remain high; the highest percent of demand will continue to come from the Southern California market.
13. Community opinion will continue to be in favor of the area developing as a combination recreation/second home area.
14. The planning area will remain primarily a recreation/second home community.

15. The provision of a base level of service, let alone any significant increase to the existing level of service, for dense development, will be cost prohibitive to Tulare County.
16. USFS and BLM plans being what they are in the study area, coupled with the remoteness of the area and the lack of utilities and full public services, open space will continue to be the predominant land use within and proximate to the planning area.



17. With the exception of water availability for domestic use/fire protection purposes and soil suitability for individual sewage disposal systems, environmental conditions in general (e.g. slopes, vegetation, wildlife, etc.) will not pose any significant barriers to low intensity development.



**Part II: Policy Document-
Plan Description**

CHAPTER 4

GOALS, POLICIES AND IMPLEMENTATION STRATEGIES

INTRODUCTION

In this chapter, the Goals, Policies and Implementation Strategies components of the Kennedy Meadows Plan provide a foundation for the Plan by identifying long-term ideals for the planning area and the framework by which the goals can be achieved.

A definition of each of the three components is as follows:

Goal: A Goal is the end toward which effort is directed. Goals are general ideals that are non-specific, immeasurable in nature and timeless. Goals should express the values of the community and comprise the objectives of the area plan.

Policy: A specific statement guiding action and implying clear commitment. Policies are formal directives that prescribe the manner in which growth in the planning area shall occur and, thus, how goals will be achieved.

Implementation Strategy: An action, procedure, program, or technique that carries out a general plan policy. Implementation strategies can include standards which directly translate into regulatory controls.

Based on the foregoing data and assumptions presented earlier in this Plan, the following conclusions have been drawn and provide the basis for the recommended Goals, Policies and Implementation Strategies of the Plan:

Kennedy Meadows is and will continue to be, throughout the planning period, a remote, second home/recreation oriented community surrounded by federally owned and administered lands. The Kennedy Meadows area is not expected to have telephone or electric services available within the 20-year planning period. Other publicly provided services (namely County services) will be limited due to the remoteness of the area and the difficulty thereby, in providing these services, in a cost-effective manner. Unreliable groundwater sources, soils not generally well suited to driveway and roadway construction due to their high water erosive characteristics on slopes greater than 5%, and proximity to environmentally sensitive lands contribute further to the need to limit the intensity, type, and location of development in the area. Community opinion will continue to be in favor of the area developing as a combination second home/recreation area.

GOAL A: ENCOURAGE A BALANCED AND ORDERLY LAND USE PATTERN WITHIN THE COMMUNITY CONSISTENT WITH THE NATURE AND INTENSITY OF DEVELOPMENT IN THE REGION.

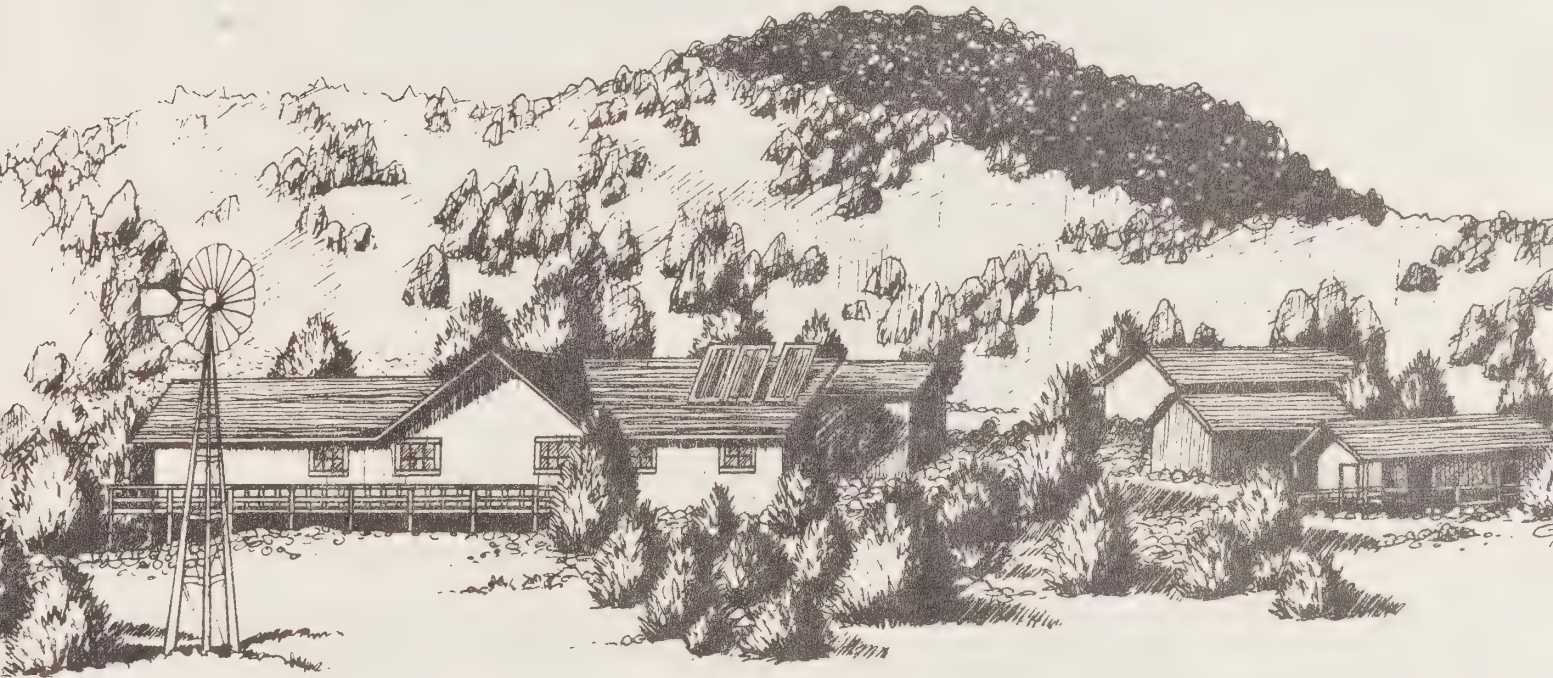
Policy 1: Establish land uses that are compatible with the historical land use pattern, are consistent with limitations of existing circulation network, and are consistent with public and utility service levels available in the Planning Area.

General Implementation Strategies:

- a. Areas appropriate for residential, retail commercial, light service commercial, and recreation/open space uses shall be established in the Land Use Plan with provisions for certain integration of uses.
- b. Higher intensity uses should be restricted to an area within Kennedy Meadows Proper, where the highest concentration of small parcels, residential and commercial development, and private road network already exists, and along Kennedy Meadows Road where adequate access can be assured.
- c. Areas outside the Kennedy Meadows proper area and at the periphery of the Planning Area adjacent to or surrounded by federally owned land shall be restricted to lower intensity and resource conservation uses.
- d. Appropriate zoning shall be established within the Planning Area that more precisely reflects characteristics unique to Mountainous areas.
- e. The Plan Map shall designate an area within Kennedy Meadows proper to be called the Primary Development Area, suitable for 5 acre minimum parcel sizes based on the characteristics unique to the Kennedy Meadows proper area as set forth in Chapter 2 of the Plan on the basis of the following criteria:
 - (1) The general area and concentration of existing small parcels,
 - (2) The location, alignment, or extension of property lines,
 - (3) The location, alignment, or extension of township and range sectional break lines,
 - (4) Areas of existing zoning for small parcels (less than 5 acres), and
 - (5) Natural slopes generally less than 30% and physical features, such as creeks.
- f. The Land Use Plan Map shall establish three "Commercial Nodes" within the Primary Development Area generally within the vicinity of the three existing commercial uses, namely the Kennedy Meadows General Store, the Irelan's Cafe and the Grumpy Bear Restaurant.
- g. Mixed use recreation and commercial development projects, including RV parks, campgrounds and similar developments containing land uses which complement each other and are compatible with land uses in the

vicinity of the development site, shall be allowed within the planning area by the Special Use Permit procedure established in the Tulare County Zoning Ordinance to assure project compatibility with surrounding land uses.

- h. High intensive commercial or recreation uses shall not be permitted in the planning area.
- i. Home occupations, recreational vehicles, and other uses of a temporary nature, shall be permitted within the Planning Area in accordance with the provisions of the Tulare County Zoning Ordinance.



Residential Implementation Strategies:

- a. Except as otherwise provided herein below, the maximum density in each land use category created by this plan shall be one single-family dwelling structure for each legally created parcel. In addition to this one single family dwelling, one (1) additional dwelling or mobilehome for each forty (40) acres in the entire property will also be allowed. However, if the property is less than forty (40) acres, but greater than ten (10) acres in area, and was of record at the time the zoning which implements this Plan becomes applicable to the property, one (1) such additional residence or mobilehome may be placed on the property with the approval of a Special Use Permit. All residences and mobilehomes shall be occupied only by the owner, relatives of the owner or lessee, or by employees who work on the property.
- b. For purposes of all land divisions the following are the minimum parcel sizes in each land use category:

- (1) Mountain Residential - 5 acre minimum
- (2) Mountain Residential - 40 acre minimum
- (3) Resource Conservation - 160 acre minimum

It shall be a general principle that all requests for divisions of land shall be in compliance with the residential density provisions as set forth in this Plan. However, where there are special circumstances applicable to the property including size, shape, topography, location, surroundings, or ownership that may provide the basis for approving the division of land, in spite of the fact that an increase in density might result, a Special Use Permit shall be secured pursuant to the Tulare County Zoning Ordinance prior to the filing for the division of land. Conditions of approval may be imposed to assure compliance with all other provisions of the Plan.

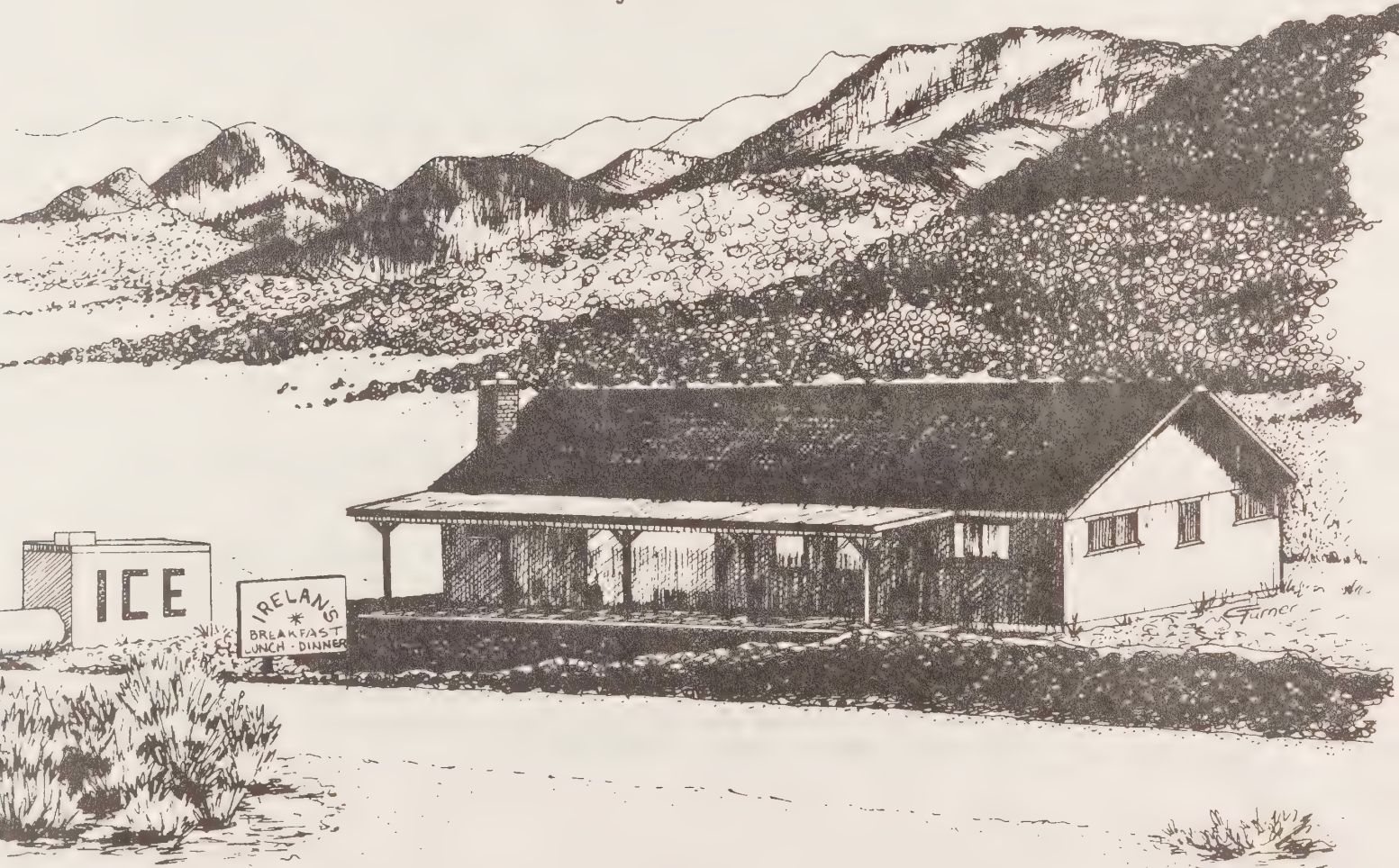
- c. The Land Use Plan shall designate a Primary Development Area where the land use designation shall be Mountain Residential - 5 acre minimum. Land division projects in this area may create 5 acre parcels providing the following criteria can be met:
 - (1) All parcels resulting after the proposed division are at least 5 acres gross in size.
 - (2) The land proposed for division does not lie within an agricultural preserve.
 - (3) The proposed division of land complies with all other provisions of the Tulare County Subdivision Ordinance and other goals, policies, and implementation strategies of this Plan.
- d. The Land Use Plan shall establish areas outside the Primary Development Area that are potentially suitable for 5 acre mountain residential development.
- e. Land division projects outside the Primary Development Area may create 5 acre parcels providing the following criteria can be met:
 - (1) Parcels of a proposed land division shall be served by a private access easement that does not exceed 1000 feet in length as measured from its intersection with the centerline of a publicly maintained, paved road.
 - (2) The land proposed for division does not lie within an agricultural preserve (Williamson Act Contract).
 - (3) A remainder parcel that does not meet the criteria of (1) above shall be at least 40 acres in size. Otherwise, any remaining acreage less than 40 acres shall be made a part of parcels that can be served by the 1000 foot private access easement.
 - (4) That the proposed division of land complies with all other provisions of the Tulare County Subdivision Ordinance and other goals, policies, and implementation strategies of this Plan.

- f. The Land Use Plan shall establish areas suitable for 40 acre minimum parcel sizes based on the following criteria:
 - (1) Lands that do not have the ability to be served by a private access easement less than 1000 feet in length as measured from the intersection with publicly maintained paved road.
 - (2) Lands that are not in agricultural preserve (Williamson Act contract).
- g. The Land Use Plan shall establish areas suitable for 160 acre minimum parcel sizes for properties which exhibit one or more of the following criteria:
 - (1) The land is not adjacent to the Primary Development Area.
 - (2) The land is within an agricultural preserve (Williamson Act contract).
 - (3) The land exhibits characteristics which makes it unsuitable for intense development including but not limited to steep slopes (generally 30% or greater), soils poorly suited to intense road and other development construction, and unproven history of water availability.
 - (4) The land is at the periphery of the Planning Area or is surrounded by Bureau of Land Management territory.
 - (5) BLM territory is used for all or a portion of access to the property.
- h. New mobilehomes on individual lots shall be permitted in accordance with State Law.
- i. The one single-family dwelling structure allowed by these implementation strategies may be a conventionally built dwelling, a manufactured dwelling which complies with the standards of the Uniform Building Code of California, or a mobilehome.
- j. The minimum parcel sizes of each land use category will be allowed for new land division projects only when all the following criteria can be met:
 - (1) The provisions for quantity of water available for domestic purposes as set forth in State and County Ordinances.
 - (2) On-site soils are suitable to provide proper leaching of residential and commercial liquid wastes in accordance with State and County ordinances.
 - (3) Physical site limitations, such as steep slopes, flood prone areas, drainage courses, or rock outcroppings, etc., do not pose hazards to life or property on-site or off-site or significantly reduce the usable area of the site.

- (4) Conformance of the proposed development project with other goals, policies, implementation strategies, and development standards set forth in this Plan.

Commercial Implementation Strategies:

- (1) Nodes of commercial development shall be designated "Mountain Commercial" by the Plan and shall be located in the areas defined as follows:
- (a) That land located in the vicinity of the Grumpy Bear Restaurant being south of Goman Avenue and west of Kennedy Meadows Road which is presently zoned "O" (Recreation), and comprising approximately 50.37 acres.
 - (b) That land located in the vicinity of the Kennedy Meadows General Store being east of Pinyon Village Road, north of Sherman Pass Road, and west of Kennedy Meadows Road, and comprising approximately 9.42 acres. The north end of Pinyon Village Road is defined by extending the north property line of lot 4 of Tract 482 in a westerly direction.
 - (c) That land located in the vicinity of the Irelan Cafe being south of Deodar Road (Private) which is currently zoned "PD-C-2" and fronts on Kennedy Meadows Road, and comprising approximately 5.2 acres. This property is more commonly known as the location of "Irelan's Cafe" and the 2.94 acre property opposite the Irelan's Cafe across Kennedy Meadows Road.



- (2) Additional "Mountain Commercial" may be established only if the property under consideration exhibits all of the following characteristics:
 - (a) The property has a minimum of 96 feet of frontage on a publicly maintained paved road.
 - (b) The property is contiguous to land designated "Mountain Commercial".
 - (c) The property can be developed without creating conflicts of use with adjacent parcels.
 - (d) The property will fulfill a need for a demonstrated demand of additional commercially designated land.
- (3) For purposes of new land divisions within commercial nodes, the minimum parcel size shall be 5 acres.
- (4) Parcels less than 5 acres within the Commercial Nodes which were legally established before the adoption of this Plan may be developed commercially in accordance with other policies and implementation strategies of this Plan.
- (5) Residential development will be allowed on properties within the Commercial Nodes in accordance with provisions for Mountain Residential - 5 acre minimum, and other provisions of this Plan for additional dwellings.
- (6) Retail Commercial uses permitted outright may be established in conjunction with a Site Plan Review. Other service related uses may be permitted with approval of a Special Use Permit. Consideration will be given in either case to provisions for adequate parking and vehicular and pedestrian circulation within and onto the site, building location and setbacks, landscaping, signs and noise and other factors depending on the nature and intensity of the proposed use.
- (7) Where temporary residential uses of a primarily commercial nature, such as overnight rental cabins or motels, are proposed in the Commercial Nodes, the basic density of one unit per 5 acres as set forth in this plan may be exceeded, provided the project is developed in accordance with all other policies and implementation strategies contained in the Plan.

Mixed Use Implementation Strategies:

- (1) In addition to permitted commercial uses, permanent residential uses shall be permitted in Commercial Nodes in accordance with the policies and implementation strategies for Mountain Residential - 5 acre minimum parcel size areas.
- (2) Low intensive service commercial uses may be established in Mountain Residential designated areas in accordance with the Home Occupation provisions of the Tulare County Zoning Ordinance. Generally, home occupations shall be incidental to the residential use, however, the plan recognizes that these uses may have seasonal fluctuations and

are acceptable in the Kennedy Meadows setting providing the activity will not be a nuisance to surrounding uses during its peak period of use. Conditions may be established for these uses to ensure their compatibility with surrounding uses.

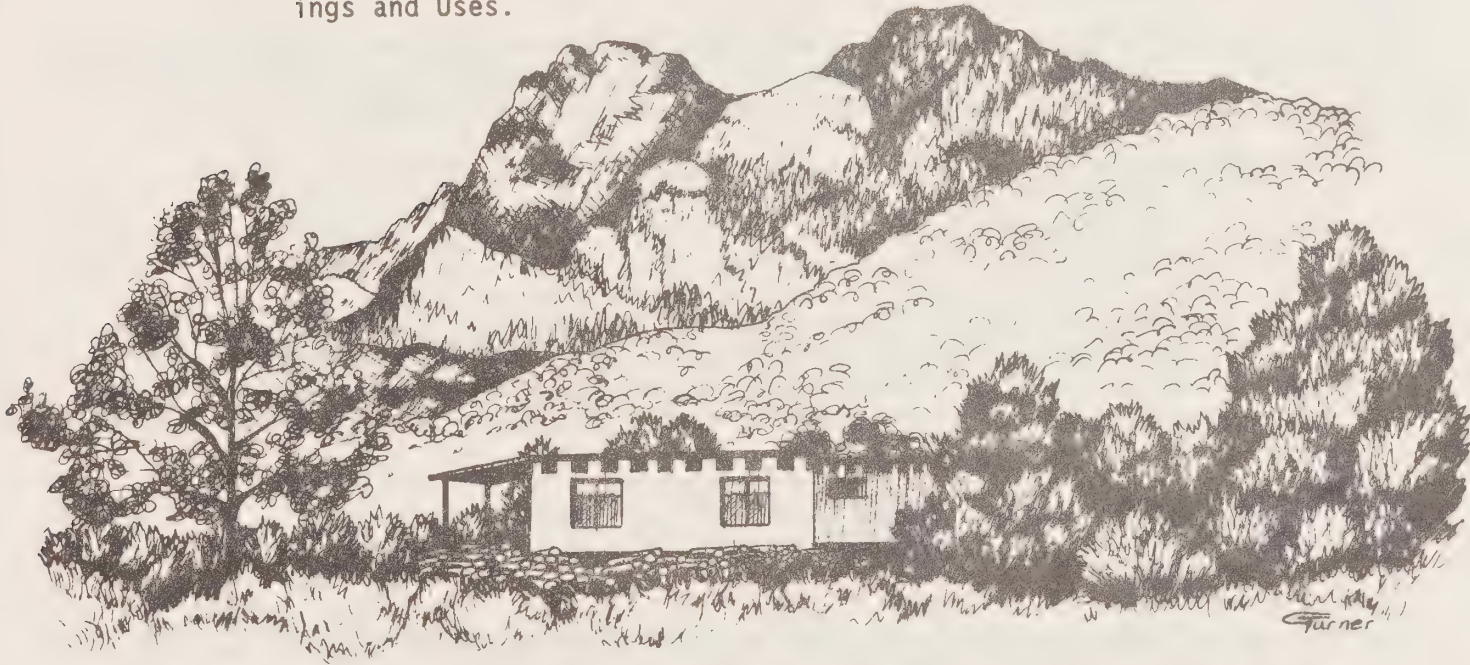
- (3) Low intensive, open space-oriented, recreation commercial uses, such as RV parks, campgrounds and similar uses should be encouraged to locate in the Primary Development Area (in Mountain Residential or Mountain Commercial designated areas). These uses shall be established with a Special Use Permit in accordance with the following criteria:
 - (a) The maximum density of RV spaces, campsites, or comparable uses shall be five (5) per each one (1) gross acre on the site.
 - (b) The property upon which the use is to be located has frontage on a publicly maintained, paved road, unless the nature of the site and characteristics of the proposed use justify location off a publicly maintained, paved road.
 - (c) The property can provide adequate water and sewage disposal for the proposed use.
 - (d) The development can be adequately screened and otherwise buffered from adjacent land uses.
 - (e) The development can comply with all other applicable provisions of this Plan and County Ordinances.
- (4) Low intensive, open space-oriented, recreation commercial uses, such as those listed in (3) above may be established in Mountain Residential and Resource Conservation areas outside the Primary Development Area with a Special Use Permit, in accordance with the following criteria:
 - (a) The maximum density of RV spaces, campsites, or other comparable use shall be one (1) per each one (1) gross acre in the site.
 - (b) The property upon which the use is to be located has frontage on a publicly maintained, paved road, unless the nature of the site and characteristics of the proposed use justify location off a publicly maintained, paved road.
 - (c) The property can provide adequate water and sewage disposal for the proposed use.
 - (d) The development can be adequately screened and otherwise buffered from adjacent land uses.
 - (e) The development can comply with all other applicable provisions of this Plan and County Ordinances.

Policy 2: No industrial or manufacturing uses of any kind shall be permitted in the Planning Area except those activities which may be permitted in accordance with the Tulare County Home Occupation Ordinance.

Policy 3: Preserve the integrity of past development patterns and uses which were legally established even though these uses might be at variance with subsequently adopted general plan policy.

Implementation Strategies:

- a. Parcels less than the minimum parcel size specified for the particular land use designation over that parcel, which were legally created prior to the adoption of this plan, shall retain their legal status.
- b. Dwelling units legally established beyond the density allowed by this Plan for any given parcel of land will be allowed to continue on a permanent basis as a legal "non-conforming use".
- c. Any use or building which was legally established but which is not expressly permitted by this plan, in any given land use designation or the implementing zoning, will be allowed to continue on a permanent basis as a "non-conforming use" in accordance with the provisions of the Tulare County Zoning Ordinance for Non-Conforming Buildings and Uses.



GOAL B: PROVIDE FOR EFFICIENT, SAFE, AND CONVENIENT TRAFFIC CIRCULATION WITHIN AND THROUGH THE KENNEDY MEADOWS PLANNING AREA, CONSISTENT WITH THE NATURE AND INTENSITY OF DEVELOPMENT IN THE REGION.

Policy 4: No new publicly maintained roadways shall be developed in the Kennedy Meadows Planning Area during the planning period.

Policy 5: Kennedy Meadows Road and Sherman Pass Road shall continue to serve as the principle access and transportation routes both through and within the Planning Area.

Implementation Strategy:

- a. Adequate maintenance programs should continue on these roadways to assure that the multiple uses and activities that they serve will be sustained.
- b. Snow removal services on the maintained public roadways should be upgraded in the future, consistent with the level of growth which occurs in the planning area and increases in road usage.
- c. New land development projects with frontage on Kennedy Meadows Road will not be required to provide additional dedications or improvements beyond the existing 60 foot right of way. In addition, no exception request to ordinance requirements will be necessary to effectuate this implementation strategy.

Policy 6: New development should be concentrated in "Kennedy Meadows Proper", where efficient and convenient access to public facilities and services and existing commercial uses can be afforded to the growing community.

Policy 7: New higher density residential development (5 acre minimum) should be planned in Kennedy Meadows Proper and in areas which front on or are proximate to publicly maintained and improved roadways.

Implementation Strategy:

- a. The provisions of Policies 6 and 7 should be reflected in the Land Use Plan Map.

Policy 8: Where direct access to a publicly maintained paved road is not otherwise available, private vehicular access easements (PVAE's) shall be made available from any new development and or every new parcel created by a division of land within the Planning Area to a publicly maintained, paved road.

Implementation Strategies:

Easements:

- a. PVAE's shall be a minimum of 50 feet in width within the confines of the property being the subject of a development project.
- b. Except as provided below, where new development must utilize an existing, off-site private roadway/easement for vehicular access to the subject property, it shall be a general principle that such easement shall be at least 20 feet in width. However, in recognition of diverse circumstances which may exist from property to property, where the minimum standard as set forth above cannot be satisfied, and unless the County determines that a reduced standard is contrary to the public health and safety, a reduced standard may be allowed following consideration of factors, including but not necessarily limited to:

1. Size of parcels to be served;
 2. Number of parcels to be served;
 3. Nature of use of the parcels to be served;
 4. Existing travelway width;
 5. Existing easement width;
 6. Distance from county road to which access is proposed;
 7. Future land division potential along easement;
 8. Number of intervening parcels for which legal access would be necessary;
 9. Availability of alternative access to any of the parcels being served; and
 10. Disposition of the easements (e.g., recorded or prescriptive)
- c. Where it can be demonstrated that a PVAE does not have the potential to serve more than four (4) parcels, now or in the future, the easement width may be reduced in accordance with Article 7 of the Tulare County Subdivision Ordinance.

Improvements:

- a. Surfacing shall not be required where native materials provide for a stable and otherwise adequate road base and where provisions for drainage and erosion control are incorporated into the road design.
- b. PVAE's shall be improved to a minimum width of 24 feet within the confines of the property being the subject of a development project.
- c. Where new development must utilize an existing, off-site travelway to gain access to the subject development site, the improvement width for the off-site portion of the easement may be reduced in accordance with Article 7 of the Tulare County Subdivision Ordinance, unless to do so would be contrary to the public health and safety. In no instance will an improvement width of less than 10 feet off-site be allowed.
- d. PVAE's may exceed 1,000 feet in length due to the low-intensive nature of the planned land uses for the Kennedy Meadows area, provided the development is otherwise consistent with the provisions of the land use plan.
- e. Newly created parcels within the Primary Development Area may be served by PVAE's in excess of 1,000 feet in length.

Maintenance:

- a. Provisions for permanent maintenance of either new or existing PVAE's situated within the confines of the property which is the subject of a development project, shall be incorporated into the conditions of approval for all development projects.
- b. PVAE maintenance agreements will not be required to extend off-site from a development project unless there is mutual consensus between on-site and off-site property owners to extend the agreement off-site.
- c. Regardless of the above implementation strategies regarding maintenance agreements, owners of any easements or any land to which any

such easement is attached are responsible under the California Civil Code Section 845 to maintain it in repair.

General Exception:

- a. When there are special circumstances or conditions that affect a proposed division of land, exceptions to ordinance requirements may be requested and shall be evaluated in accordance with the exception procedures set forth in Article 8 of the Tulare County Subdivision Ordinance.

Policy 9: All development occurring along publicly maintained roads in the planning area shall be designed so as to minimize potential traffic safety hazards.

Implementation Strategies:

- a. Encroachment permits shall be secured from the appropriate jurisdiction prior to any private road work taking place within public road rights-of-way.
- b. New commercial and other higher intensity land uses should develop in nodes to minimize the number of ingress-egress points along Kennedy Meadows Road.
- c. All applications for commercial and other higher intensity uses utilizing direct access to publicly-maintained roads shall contain detailed plans for ingress-egress, internal circulation and off-street parking. A development project shall be approved only after the decision-making body is satisfied that adequate off-street parking is provided, that the method of access onto the highway will not create a potential traffic hazard, and that through traffic along the highway will not be impeded.
- d. Commercial and other non-residential land uses, except home occupation uses, shall have direct access to a public road, unless the decision-making body determines that, based upon unique circumstances, a private road can adequately serve the proposed project.
- e. Commercial and other higher intensity land uses, except home occupation uses, should minimize access points onto the public road. Such access points shall be a minimum of 30 feet in width when providing two way traffic flow. Facilities designed to channel traffic to established access points shall be provided to prevent indiscriminate access to and from the public roadway.

Policy 10: Future development projects shall provide sufficient off-street parking to satisfy anticipated demands.

Implementation Strategies:

- a. Off-street parking shall be provided in conjunction with all new development projects. Existing uses, when expanding, shall provide off-street parking as required to accommodate the expanded use. This requirement may be modified by the decision-making body if it is

determined that said requirement will result in practical difficulties or unnecessary hardships and if modifying the requirement will not jeopardize public health and safety.

- b. Off-street parking and loading requirements for all development projects shall be provided in accordance with the Site Plan Development Standards adopted by the Planning Commission.

Policy 11: Future private road designs and alignments shall be compatible with existing topography and physical conditions to ensure that such roads can provide safe and permanent access to developing areas.

Implementation Strategies:

- a. Private access easements and driveways shall be prohibited on slopes exceeding 30% unless the development proposal contains specific measures to avoid or alleviate potential problems associated with situating new roads on such steep slopes.

Policy 12: Private roads shall be designed to provide safe and efficient access for emergency equipment.

Implementation Strategies:

- a. All new private roads shall contain sufficient improved width to permit the efficient maneuvering of emergency vehicles and equipment.
- b. All new vehicular water crossings shall have a minimum load limit of 20 tons (40,000 lbs.).
- c. All new development proposals shall be reviewed by the appropriate protection agency and the County Sheriff's Office to obtain a professional evaluation of the proposal regarding access in emergency situations.

GOAL C: ENSURE THAT DEVELOPMENT IS MANAGED TO A LEVEL AT WHICH THE HEALTH AND SAFETY NEEDS OF KENNEDY MEADOWS RESIDENTS CAN BE MET BY AVAILABLE COMMUNITY FACILITIES AND SERVICES.

Policy 13: Development projects shall provide an adequate and safe supply of domestic water and proper facilities for the disposal of sewage effluent.

Implementation Strategies:

- a. All development projects shall be accompanied by a preliminary and final geological-hydrological report, if required, pursuant to the procedures set forth in the Tulare County Ordinance Code.
- b. Domestic water and wastewater disposal systems shall be provided to serve all new development in accordance with applicable State regulations and the design and improvement regulations as prescribed in Article 2 of the County Ordinance Code.

Policy 14: Future developments shall contain adequate facilities for collection and disposal of storm water run-off with minimal effects to nearby properties and the environment.

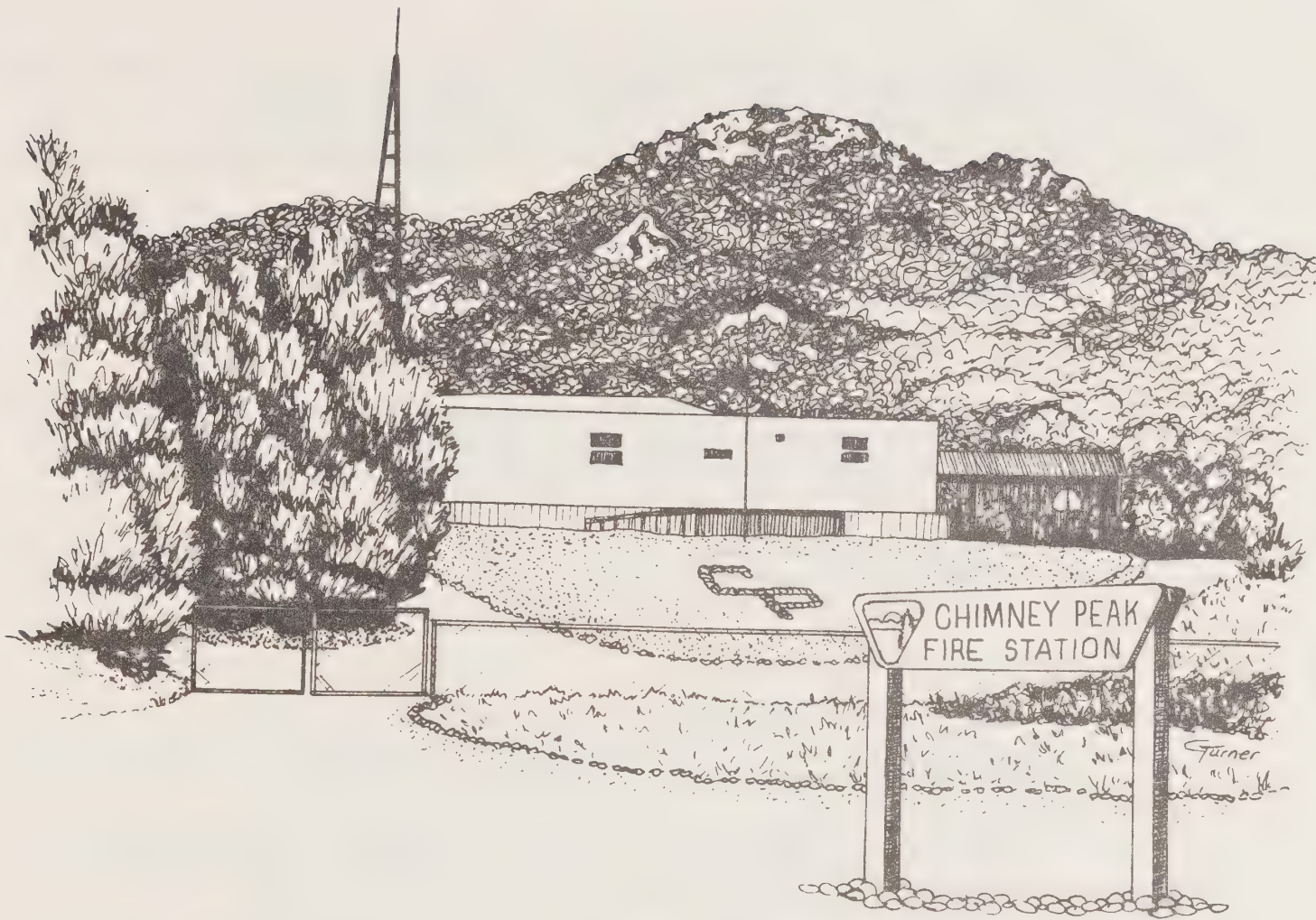
Implementation Strategies:

- a. In approving a development project, the decision-making body shall determine if the physical characteristics of the site necessitate the preparation of a Storm Water Drainage and Erosion Control Plan for that project. If required, the plan shall be prepared by a registered Civil Engineer or other qualified individual and submitted to and approved by the Public Works Department prior to initiating construction on the site.

Policy 15: Future developments shall contain adequate provisions for protecting residents and property from the hazards of wildland and structural fires.

Implementation Strategies:

- a. The minimum parcel size for newly created parcels shall be 5 acres to avoid creating higher density developments where active fire protection improvements would be necessary.
- b. Large minimum parcel sizes shall be established in the isolated and peripheral areas of the Planning Area where fire response would be difficult due to poor access conditions.
- c. New and expanding commercial development shall be evaluated in conformance with Tulare County Ordinance No. 2447 (commonly referred to as the "Fire Flow Ordinance") to ensure that appropriate fire protection measures are applied.
- d. All new development shall comply with the following "passive" fire protection measures:
 - (1) A thirty-foot (30') clearance of flammable vegetation shall be provided and maintained around all new main structures.
 - (2) Class A fire retardant roofing materials, as established in the Uniform Building Code, shall be provided on all new buildings.
 - (3) Attic vent screens of corrosion-resistant wire mesh, with a mesh size of 1/4 inch, shall be provided for all vent openings. Chimney openings shall be equipped with a corrosion-resistant wire mesh screen with a mesh size of 1/2 inch. These provisions are applicable to all new buildings.
 - (4) Street numbers and street names for public and private roads shall be established for each dwelling unit, business and/or other main use and shall be legible from the road for which the street number is assigned. The street numbers and names will be provided for locational purposes during emergency responses.



Policy 16: Law enforcement service shall be provided in the Kennedy Meadows Planning Area at a level commensurate with the rate of population growth, development and public use of the area.

Implementation Strategies:

1. The County of Tulare shall evaluate on a regular basis the feasibility of expanded law enforcement service to Kennedy Meadows based on factors including but not limited to:
 - population
 - distance and response time within the area
 - crime rate
2. All requests for discretionary permits shall be referred to the County Sheriff.

Policy 17: As a practical and effective means of providing education to the small school age population of Kennedy Meadows, Tulare County school districts shall continue the practice of inter-district agreements with Kern County school districts.

Policy 18: Tulare County should maintain its cooperative relationship with the BLM in the provision of fire protection service.

GOAL D: SUPPORT AND ENHANCE THE OPEN SPACE AND RECREATION OPPORTUNITIES IN THE KENNEDY MEADOWS REGION.

Policy 19: Identify, maintain, and encourage the use of those activities and amenities that promote the recreation qualities that are available in the Kennedy Meadows Planning Area.

Implementation Strategy:

- a. The Plan shall make provision to accommodate such developments as recreation-oriented housing and retail uses, campgrounds, RV parks, and over-night lodging and other services benefiting the local residents, property owners and the visiting public.

Policy 20: Preserve the integrity of the Pacific Crest National Scenic Trail (PCNST), as jointly administered by the U. S. Bureau of Land Management, U. S. Forest Service, and the National Park Service.

Implementation Strategies:

- (a) Contact the BLM or USFS in the early stages of project review whenever a site for a development project contains any segment of the PCNST to ensure its proper protection.
- (b) Whenever possible, uses proposed for properties which contain segments of the PCNST shall be determined to be a compatible use with the purpose, function and usage of the Trail.
- (c) Residential uses shall automatically be determined to be a compatible use with the PCNST.
- (d) Enforce any necessary setbacks from the Trail as established by the administering Federal agency.
- (e) Any lands currently in the Planning Area under the jurisdiction of the BLM, which are anticipated for or undergo exchange for private ownership and which contain segments of the PCNST, shall be required to comply with the policies and implementation strategies set forth herein.

GOAL E: PROMOTE A BALANCED AND ENVIRONMENTALLY SENSITIVE APPROACH TO DEVELOPMENT AND THE CONSERVATION OF RESOURCES AVAILABLE IN THE PLANNING AREA.

Policy 21: Extensive agricultural uses will be encouraged in appropriate locations in the Planning Area.

Implementation Strategies:

- a. Large minimum parcel zoning shall be established similar to the County's Foothill Agricultural Zone, to protect those areas that exhibit characteristics suitable for grazing activities.

- b. Existing agricultural preserves established under the Williamson Act will be protected by zoning from encroachment by intensive non-agricultural uses.

Policy 22: Discourage development in environmentally sensitive areas which could be maintained as open space, such as areas characterized by flood plains, slopes in excess of 30%, unstable geology, special wildlife habitats, unique archaeological/historical sites, and scenic vistas.

Implementation Strategies:

- a. The Plan will designate an area for resource conservation where large minimum parcel sizes will be allowed around the periphery of the Planning Area and will allow only those uses which contribute to the retention of open space, preservation of wildlife habitats, scenic vistas and archaeological/historical sites.

Policy 23: In appropriate areas provide for the protection of both the range and migration routes of the Monache deer herd.

Implementation Strategies:

- a. The Plan shall establish a minimum parcel size of at least 40 acres in areas where larger parcels presently exist, where residential development is less desirable due to poor access conditions, where agricultural preserve contracts are presently in effect, and, in those areas that are largely undeveloped.
- b. Fences shall be constructed in such a way as to allow passage of deer. The State Department of Fish and Game recommends the following criteria for fencing that would permit deer movement: "Fences that have a high ground wire distance, 18" to 24" off the ground, or low top wire distance, 36" to 42", utilizing barbless wire on top or bottom wires (chain link fencing is extremely detrimental to deer movement)."

Policy 24: Require noise attenuation and other measures to reduce noise impacts for activities and uses which generate noise levels incompatible with surrounding land uses.

Implementation Strategies:

- a. Electric generators shall be equipped with appropriate muffling devices and shall be housed or enclosed in a sound attenuating structure.
- b. Appropriate conditions of approval shall be established in conjunction with those uses which are significant noise generators that establish standards for setbacks, hours of operation, landscaping and other types of buffers.

Policy 25: No new wilderness designation shall be added within or surrounding the Planning Area unless it is supported by the local community and elected County officials.

Policy 26: Land alterations (grading and excavation) shall conform to the surrounding natural terrain to the extent practicable.

Implementation Strategies:

- a. Disturbed slopes shall be contoured to harmonize and blend with the natural slopes remaining on the site and surrounding the development site.
- b. The slope of exposed cuts and fills shall meet the standards established in the Improvement Standards of Tulare County.
- c. Where two cut or fill slopes intersect, the intersection shall be graded and shaped to closely resemble natural topography. (This standard does not pertain to cut or fill slopes composed of rock.)
- d. Lots shall be designed to fit the natural landscape in a manner that does not require extensive grading.

Policy 27: Development activities shall include adequate provisions for sediment and erosion control.

Implementation Strategies:

- a. Graded slopes consisting primarily of soil shall be planted with vegetation to stabilize slopes and prevent erosion. Native plant species shall be used wherever possible.
- b. Slope stabilization and erosion prevention shall be completed immediately after grading and before December 1. No grading shall occur between December 1 and March 1, unless the applicant demonstrates to the Public Works Department that slope stabilization and erosion prevention techniques will overcome potential problems.
- c. Development shall generally be precluded on slopes of 30% or greater, unless the project contains sufficient measures to mitigate the problems typically encountered when developing on steep slopes.
- d. Water-borne sediment generated by development projects shall be retained on the site by means of facilities such as sediment basins and sediment traps.
- e. Denuded or exposed slopes caused by construction activities shall be replanted to protect exposed slopes from erosion. Where cut slopes are not subject to erosion due to the erosion-resistant character of the materials, such protection may be omitted.

Policy 28: The quality and integrity of natural drainage channels and local water courses shall be maintained.

Implementation Strategies:

- a. Where natural stormwater run-off channels are traversed by roads and driveways, fills shall be stabilized by the use of riprap or other effective measures to prevent erosion.

- b. Fill slopes and/or excavated material shall not encroach into natural watercourses or constructed water channels.
- c. All new septic tank/leach line systems shall be set back a minimum of fifty (50) feet from an intermittent watercourse and one hundred (100) feet from a perennial watercourse.
- d. All new structures, except fences, shall be set back a minimum of twenty-five (25) feet from any watercourse. This requirement may be waived by the decision-making body if it is determined to be inappropriate because of existing development patterns.

GOAL F: ENCOURAGE THE PROTECTION OF HISTORICAL/ARCHAEOLOGICAL SITES LOCATED IN THE KENNEDY MEADOWS PLANNING AREA.

Policy 29: Inventories of potentially sensitive sites shall be conducted by qualified individuals or organizations.

Implementation Strategies:

- a. Consultation with appropriate organizations who have jurisdiction or responsibility for historical or archaeological resources shall be required for new intensive development projects within the Planning Area.
- b. The provisions of the California Environmental Quality Act of the Public Resources Code and the Guidelines implementing the Act regarding assessment of archaeological impacts will be enforced through the various project review processes required by this Plan and local ordinances adopted thereto.

GOAL G: STRIVE TO MAINTAIN A SPIRIT OF COOPERATION BETWEEN FEDERAL AND STATE AGENCIES AND OTHER PUBLIC ORGANIZATIONS WITH JURISDICTION, RESPONSIBILITY, OR CONCERN OVER RESOURCES IN AND AROUND THE PLANNING AREA.

Policy 30: Require consultation with all federal, state and local agencies who have possible jurisdiction or responsibility over land or resources on or adjacent to private land developments.

Implementation Strategies:

- a. Develop a comprehensive list of all federal, state and local agencies or organizations for use in the consultation process for proposed projects in the Kennedy Meadows Planning Area.

CHAPTER 5

PLAN DESCRIPTION

INTRODUCTION

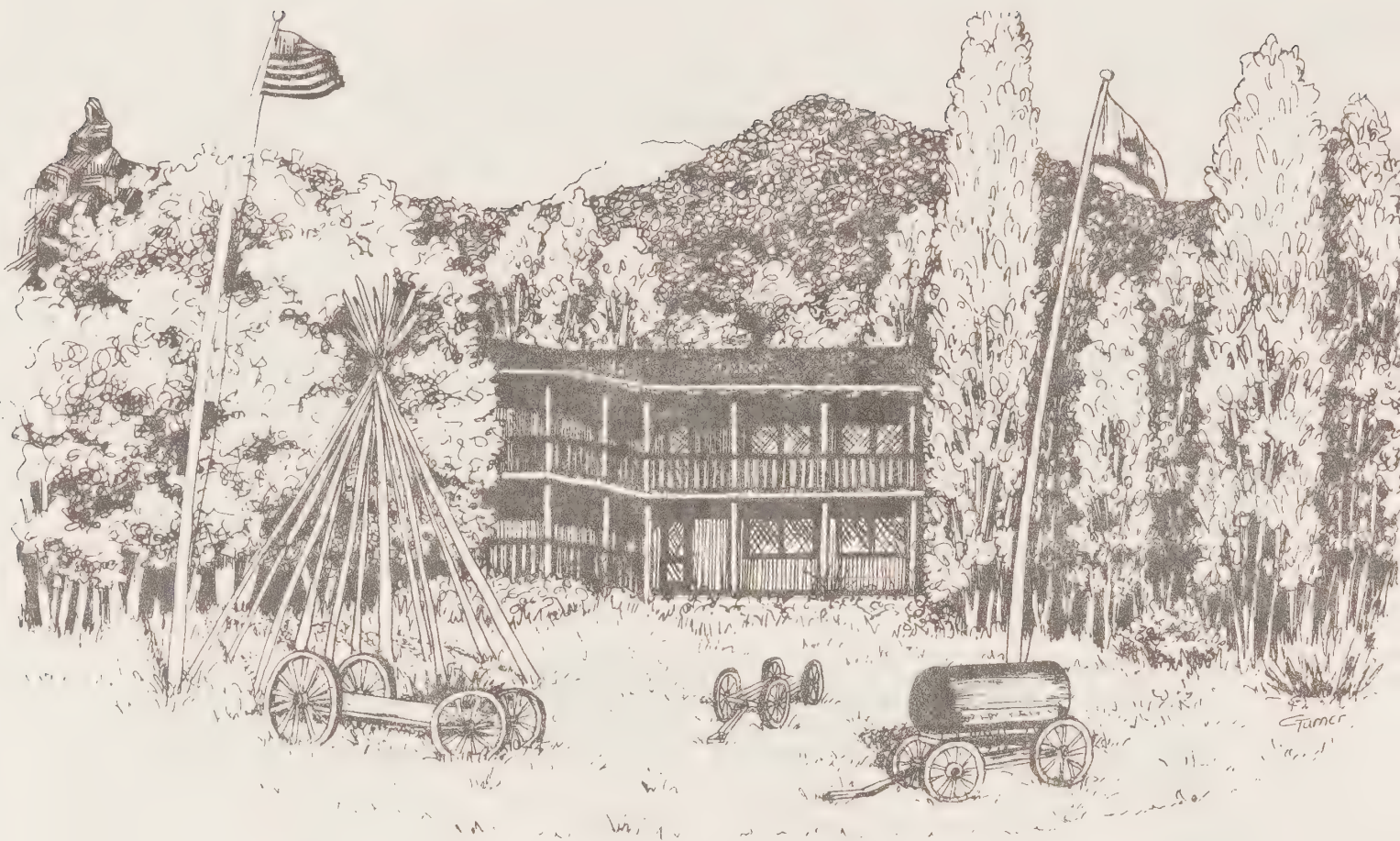
As discussed earlier in the Plan, the Kennedy Meadows Planning Area already exhibits a definite pattern of land use intensity. The Planning Area is characterized by a "radiating" pattern with the predominance of the relatively more intense development, such as a majority of smaller parcels and residential development, existing commercial uses and public facilities, being established in the Kennedy Meadows proper area. Generally, parcel sizes and intensity and density of land uses become progressively less as one moves away from Kennedy Meadows proper, with the largest parcel sizes, extensive agricultural uses and agricultural preserves occurring primarily in isolated and peripheral portions of the Planning Area. The Kennedy Meadows Plan perpetuates this established land use pattern, but in a more precisely defined manner. Aspects of the Plan are a direct outgrowth of this governing principle:

That a contemporary and specific policy framework is needed which allows realistic and long-range management of area growth and development so that the existing remote, second home, recreation-oriented character of the area can be preserved in balance with available community and public services.

LAND USE

MOUNTAIN RESIDENTIAL: The Mountain Residential classification is intended primarily to accommodate single-family residential development of a rural character including residential accessory structures. Secondly, this classification will accommodate activities that are low intensive, open-space oriented recreation/commercial uses that complement the remote setting of the area and limited uses which are necessary for servicing the Kennedy Meadows area as set forth in the policies and implementation strategies contained in the Kennedy Meadows Plan. In addition, certain low intensive service commercial uses may be permitted in accordance with provisions of the Tulare County Home Occupation Ordinance.

The Mountain Residential classification, as employed in the Kennedy Meadows Plan, identifies two minimum parcel sizes in distinguishable areas: a 5 acre minimum parcel size area and a 40 acre minimum parcel size area. Except as otherwise provided herein below, each of these areas will allow as a permitted use, one single family dwelling in each legally created parcel. In addition to the single family residence allowed in the 5 and 40 acre minimum parcel size designated areas, one (1) additional residence or mobilehome for each forty (40) acres in the entire property will be allowed. Also, if the property is less than forty (40) acres, but greater than ten (10) acres in area, and the parcel was of record at the time land use regulations become applicable to the property, one (1) such additional residence or mobilehome may be placed on the property with the approval of a Special Use Permit. All residences and mobilehomes shall be occupied only by the owner, relatives of the owner or lessee or by employees who work on the property.



The single family dwelling may be a conventional or manufactured dwelling built to Uniform Building Code specifications or it may be a mobilehome. "Second Units"¹ and "guest houses"² will be permitted in accordance with the Tulare County Zoning Ordinance. Recreation vehicles, as defined in the Tulare County Zoning Ordinance, may be permitted in certain instances as set forth in the policies and implementation standards contained in this Plan.

The principal area where new 5 acre residential development will be allowed is identified on the Plan map as the Primary Development Area (PDA) which is situated in the Kennedy Meadows proper area.

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- 1 Defined by the Tulare County Zoning Ordinance as "A dwelling unit attached to or located within the living area of a one family dwelling, which provides complete independent living facilities for one (1) or more persons all in accordance with the provisions set forth in subparagraph c of paragraph 6 of subsection A of Section 15 of this (Tulare County Zoning) Ordinance."
 - 2 Defined by the Tulare County Zoning Ordinance as "Living quarters within an accessory building located on the same premises with the main building, for use by temporary guests of the occupants of the premises, having no kitchen, and not rented or otherwise used as a separate dwelling.")

The other 5 acre minimum parcel size area can be generally described as lands which are adjacent to and within 1,000 feet of a publicly-maintained road throughout the remainder of the Planning Area excepting, therefrom, lands under Williamson Act contract.

The generalized boundary for the 5 acre minimum parcel size areas outside the PDA are based on one or a combination of criteria including: 1) the nearest property lines proximate to a 1,000 foot radius measured from the centerline of a paved, publicly maintained road, 2) a distinct physical feature located proximate to the 1,000 foot radius as measured from a paved, publicly maintained road, or 3) an extension of a township and range sectional break line when a more distinguishable boundary was not available. The specific boundary for new 5 acre development will be determined on a property by property basis at the project review stage of development. New 5 acre parcels may be created in this area if they can be served by a PVAE that does not exceed 1,000 feet in length as measured from its intersection with a publicly-maintained road, consistent with the Plan's policies and implementation strategies.

The 40 acre minimum parcel size areas are located outside the PDA and generally adjacent to areas designated for 5 acre minimum parcel sizes. This area essentially encompasses existing 40 acre parcels and includes areas beyond 1,000 feet from a paved, publicly maintained road but which does not meet the criteria of the Resource Conservation classification as described below.

Approximately 3,736 acres in the Planning Area are designated for Mountain Residential-5 acre minimum parcel size (for a total potential of 664 new 5 acre parcels) and 4,637 acres for Mountain Residential-40 acre minimum parcel size (for a total potential of 60 new 40 acre parcels).

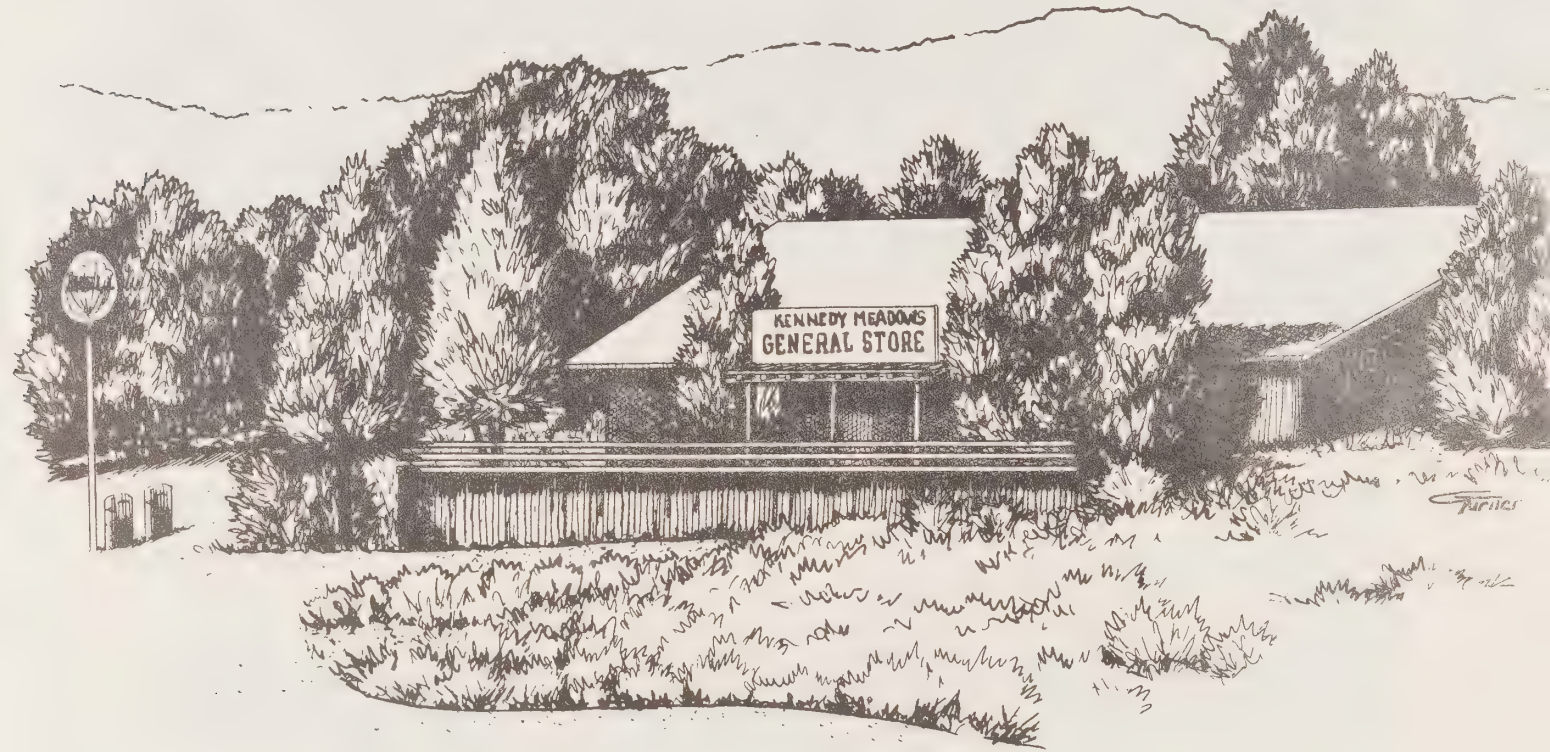
RESOURCE CONSERVATION: The Resource Conservation classification is intended primarily to designate areas that would not be used for development purposes but would be reserved for extensive agricultural (e.g. agricultural preserves under the Williamson Act) watershed protection and other open space and resource conservation purposes.

The Resource Conservation classification has a prescribed minimum parcel size of 160 acres. Except as otherwise provided herein below the maximum residential density in this land use category shall be one single family dwelling per each legally created parcel. In addition to this one single family dwelling, one (1) additional dwelling or mobilehome for each forty (40) acres in the entire property will also be allowed. However, if the property is less than forty (40) acres, but greater than ten (10) acres in area, and was of record at the time the new land use regulations become applicable to the property, one (1) such residence or mobilehome may be placed on the property with the approval of a Special Use Permit. All residences and mobilehomes shall be occupied only by the owner, relatives of the owner or lessee or by employees who work on the property.

The single family dwelling may be a conventional or manufactured dwelling built to uniform Building Code specifications or it may be a mobilehome. "Second Units" or "Guest Houses", as defined above, will be permitted in accordance with the Tulare County Zoning Ordinance. Temporary recreation vehicles are allowed in certain instances as set forth in the policies and implementation standards contained in this Plan.

The Resource Conservation classification is designated in isolated areas surrounded by public (federal) lands where agricultural preserves currently exist at the far extremities of the Planning Area already containing large parcels, and in areas characterized by steep slopes generally unsuitable for development.

Approximately 7,420 acres in the Planning Area are designated for Resource Conservation-160 acre minimum parcel size (for a total potential of 18 new 160 acre parcels).



MOUNTAIN COMMERCIAL: The Mountain Commercial classification is intended primarily as a general commercial and recreation commercial designation allowing certain retail and recreation oriented uses with provisions for low-intensive service related uses and limited residential uses. The focus of the Mountain Commercial classification will be toward those operations which satisfy the daily shopping and service needs of residents in the Planning Area and secondarily others visiting in or passing through the area. Tourist commercial uses including restaurants, motels, specialty shops, certain service related uses, such as well-driller, septic repair and maintenance, auto repair and equipment storage, may be allowed to locate in the commercial nodes with approval of a Special Use Permit as set forth in the Chapter 4 of the Plan.

This land use designation is applied only in the Primary Development Area as described in the Plan. Three areas are identified in the Plan as "Commercial Nodes". The nodes are designated in the general vicinity of existing commercial uses (the Kennedy Meadows General Store, the Irelands's Cafe, and the Grumpy Bear Restaurant).

The commercial nodes are intended to identify properties generally suitable for commercial development provided they have frontage on a publicly maintained, paved road and where compatibility of the commercial use with adjacent land uses can be achieved as set forth in the policies and implementation standards contained in the Plan.

As noted above, the Mountain Commercial designation incorporates the site plan review process to ensure that new and/or expanding commercial uses are developed in accordance with provisions of the Kennedy Meadows Plan. The review process will ensure maximum protection of the environment and compatibility with adjacent uses.

Land divisions in the commercial nodes for the establishment of new commercial uses will be required to comply with a minimum parcel size of 5 acres. This provides consistency with the minimum residential parcel size in the PDA which is also 5 acres.

CIRCULATION

The focus of the Kennedy Meadows Circulation Plan is primarily two-fold: 1) To maintain the existing public road network and 2) To provide a means for development and maintenance of new private roads to serve the area.

The Circulation Plan recognizes that Kennedy Meadows Road, including Beach Meadows/Sherman Pass Road (the northwesterly extension into the Sequoia and Inyo National Forests) and Nine Mile Canyon Road (the southerly extension into Inyo County) will continue to serve as the major traffic carriers within and through the planning area. They are identified on the Plan map as "Primary Public Roads." Goman Avenue and Pinyon Village Road are shown on the Plan map as "Secondary Public Roads"; these streets serve as "collectors" for the primary public roads and provide access to public facilities and a developed residential subdivision, respectively, in the Primary Development Area.

As noted earlier in the Plan, the above roadways are the only paved and publicly maintained roads in the planning area. The Circulation Plan envisions no new County paved or maintained roads during the planning period. In addition, even though the existing Federal Aide Secondary (FAS) designation for Kennedy Meadows Road would imply an ultimate right of way width of 84 feet, it is the intention of this Plan that no further improvements inside the existing 60 foot right of way, except that which is necessary for proper maintenance, nor further dedications or improvements outside the 60 foot right of way be required in conjunction with new discretionary land development projects or the issuance of building permits. Based upon the seasonal use of the area, limited year round traffic, the reduced intensity of land uses proposed by this Plan, and the potential for additional wilderness designation in the surrounding areas, it is the position of this Plan that additional right of way along Kennedy Meadows Road will not be necessary during the 20 year planning period. Further, no significant upgrading of existing public roads is proposed by this Plan except that which is needed for proper maintenance.

Private roads will continue to play a significant role in providing access to new development during the planning period. Where feasible, new development should be planned and designed to gain access directly from the publicly maintained and improved roadways. However, where direct access is not feasible, private vehicular access easements shall be utilized to provide access to new development in accordance with the policies and implementation strategies set

forth in the Plan. Private roads are considered appropriate for Kennedy Meadows in light of the low intensity and seasonal use that the area has historically received and the nature of the planned land uses adopted for Kennedy Meadows.

In general, private access easements may be utilized to provide legal access to parcels anywhere in the planning area. Native materials can be utilized for the construction of these easements where native materials provide a suitable and adequate road base. In general, with the exception of surfacing, roadway design and improvements will comply with County design standards for a Class 1 Mountain road which provides for a 24' driving surface, a 50' easement width and includes provisions for drainage and erosion control. Specific policy considerations and implementation strategies with regard to the issues discussed above are set forth in Chapter 3, Goals and Policies.

Where private access easements are utilized, provisions for ongoing maintenance of the private roadways will be required for new development in the Kennedy Meadows area. Appendix 1 of this report provides a sample "private road maintenance agreement" which, once adopted in its final form, will be recorded in conjunction with divisions of land and other development projects, to ensure that private road easements will be permanently maintained.

Where access to a privately owned parcel of land requires access across land under the jurisdiction of the federal government (i.e., the National Forest or the Bureau of Land Management), road improvement requirements and right-of-way privileges will be determined by the County and the federal agency in joint cooperation.

CHAPTER 6

IMPLEMENTATION

A general plan must identify the methods and techniques that will be utilized to implement its various goals, policies and standards. These implementation methods must provide a realistic and practical framework for the achievement of the goals established in the general plan. Through the utilization of the techniques described below, the various provisions of the Kennedy Meadows Plan will be gradually implemented over the planning period. However, the extent to which the Plan is eventually implemented is dependent upon certain economic and social conditions.

For the Kennedy Meadows Plan, implementation will be primarily focused upon the following programs:

1. Regulation of land development through the initiation of zoning classifications consistent with the land use designations established in the Plan.

State law requires that local zoning be consistent with the adopted general plan. Thus, after the adoption of the Kennedy Meadows Plan, it will be necessary for the Tulare County Planning Commission and Board of Supervisors to formulate a zoning scheme to implement the land use designations contained in the Plan. The close relationship between the community plan and zoning will assure that the policies of the Plan are enforced and implemented, thereby maintaining the Plan as a viable management tool.

It is the intent of the Kennedy Meadows Plan that the Tulare County Zoning Ordinance will be amended to incorporate several new zoning categories that will be applied to properties designated in the Plan as Mountain Residential, Mountain Commercial, and Resource Conservation.

The application of appropriate zoning to implement the Land Use Plan should, to the extent possible, follow available property lines, section lines, and other easily identifiable boundaries. Where zoning boundaries must divide properties, they should be situated in a manner that enables each specifically zoned area to be developed, and to function as an individual parcel in conformance with the new zoning classification.

2. Control of land division and infrastructural improvements through the application of requirements of the Tulare County Subdivision Ordinance and the Improvement Standards of Tulare County.

Divisions of land for the purpose of sale, lease, or finance are subject to the requirements of the State Subdivision Map Act and the Tulare County Subdivision Ordinance. These laws control not only the design of land division projects but also provide the basis for requiring the on-site and off-site improvements (pertaining to vehicular access, sewer and water, etc.) that are necessary to serve the newly created parcels, depending upon their intended use. Such improvements are, for the most part, identified and categorized in the Improvement Standards of Tulare County. However, while the Improvement Standards already contain the majority of the improvement requirements necessary to implement the Kennedy Meadows

Plan, certain additional or modified standards are established in this plan (see Chapter 4 - Goals, Policies and Implementation Strategies) which will complement or provide guidance to the implementation of the Improvement Standards. Thus, the improvement standards that are unique to the Kennedy Meadows Planning Area will be implemented through the land division procedures (subdivision map, parcel map, lot line adjustment, and certificate of compliance) contained in the Subdivision Ordinance.

3. Control of site development through the site plan review process and review of special use permits, planned unit developments, and other development standards.

The land use directives and development standards contained in this plan will also be implemented by the County of Tulare during its review of site plans, special use permits, and other various development permits. These development permits must be reviewed at public hearings by such decision-making bodies as the Site Plan Review Committee, Zoning Administrator, Planning Commission, and Board of Supervisors. As part of their review, these bodies must ensure that new development proposals satisfy the land use and development criteria established in the Kennedy Meadows Plan.

4. Control of local environmental conditions through the implementation of the California Environmental Quality Act.

The community plan contains several policies and development standards that are directed toward the maintenance of the quality of the local environment. While these policies and standards will be generally implemented through regular project review process, the California Environmental Quality Act (CEQA) is another tool with which to assure that the plan directives are implemented. This tool will be particularly useful in the implementation of plan policies that are aimed at preserving the quality of the local environment. Development projects will be scrutinized as part of the CEQA process to ensure compliance with the goals, policies and implementation strategies contained in the Kennedy Meadows Plan, especially those emphasizing environmental protection.

5. The provision of attractive conditions to the private sector as a means of allowing reasonable development and growth within the Planning Area.

Growth within the planning Area has been and will continue to be primarily dependent upon activity within the private sector. For the Kennedy Meadows Area to grow, not only must demand for new development exist but the development conditions within the planning Area must be conducive to attracting and accommodating growth. A major function of the Kennedy Meadows Plan must, therefore, be to assure appropriate conditions for development to exist. This Plan has attempted to assure such conditions in several ways, including the establishment of new land use categories which respond to the unique characteristics of the Planning Area, the application of modified road standards for new developments within the Planning Area and realistic management of density and population distribution commensurate with the availability of public services which protect the health, safety and welfare of life and property in the Planning Area.

6. Future amendments to the Kennedy Meadows Plan.

To provide a long term tool for implementing both the public needs or desires and the goals, objectives and policies of the County, this planning document may be amended from time to time during the 20 year planning period as provided by and in accordance with State Law and adopted County policy of the Tulare County Board of Supervisors.



**Part III: Assessment Of
Environmental Impact**

CHAPTER 7

SIGNIFICANT ENVIRONMENTAL EFFECTS AND MITIGATION MEASURES

In accordance with the requirements of the California Environmental Quality Act (CEQA), as amended, the following is an analysis of the potential impacts as identified in the Initial Study prepared for GPA 86-02 Kennedy Meadows Plan, and as identified by correspondence from agencies and individuals responding to the Notice of Intent to Prepare an Environmental Impact Report, which contained the Initial Study. The analyses that follow utilize the "build-out" concept, where it is assumed that all the growth allowed by the general plan actually happens, as a worst case measure of impacts.

The current Land Use Element of the Tulare County General Plan prepared in 1963 was not subject to CEQA review, since the Act did not become law until 1970. Therefore a comprehensive analysis of the proposed plan's potential environmental impacts is provided. This EIR will serve as a basis for subsequent review of future plan revisions and specific development projects.

A. SOIL EROSION PROBLEMS RESULTING FROM INCREASED SURFACE RUNOFF AND SOIL DISTURBANCE:

Development as allowed by the Plan will necessitate grading and earthmoving to occur on sites during the preparation of building pads, road beds and drive-ways, etc. These construction activities could result in cut and fill banks and denuded areas. Similarly, most construction activity results in the creation of impervious surfaces (i.e., structures, slabs, densely compacted grounds, and paved areas). These activities lead to conditions for potentially significant soil erosion from natural wind and water flow across the land and also create conditions for increasing the rate and flow of water run off. Increased soil erosion, in turn, can result in siltation problems occurring both on and off sites, damage to properties, and long term sedimentation which degrades local streams and creeks. Ultimately the South Fork Kern River could be adversely affected.

Mitigation Measures: New commercial uses are required to be served by a publicly maintained paved road. Residential parcels of greatest density (1 dwelling per 5 acres gross) will be proximate to or front on a paved access. Newly created parcels will have provisions incorporated in to the conditions of approval which guarantee permanent maintenance of private vehicular access easement (PVAE). These factors combined, will significantly reduce the potential for erosion of roads and the need for re-alignment because a road has been washed out.

Potential impacts which are the result of increased amount and rate of run-off will be reduced by limiting construction activity to suitable slopes (less than 30%) and by requiring a site plan review process for new divisions of land. Slopes greater than 30% are not considered to be developable unless the developer is willing to incorporate improvements which will curtail the affects which are inherent with development on steep slopes. New commercial uses which require a discretionary permit may have conditions of approval attached which will mitigate site specific impacts. In addition, grading activity will not be allowed during the winter season.

Also, revegetation of disturbed slopes is required immediately after grading is complete.

Specific Goals, Policies, and Implementation Strategies which mitigate these identified impacts are:

Goal A: Policy 1, Commercial Implementation Strategy 2, and 6.

Goal B: Policy 7, Policy 8, Implementation Strategy "Easements" (c); Policy 8.

Goal C: Policy 14, Implementation Strategy (a).

Goal E: Policy 27, Implementation Strategies (a), (b), (c), and (d).

B. SURFACE AND GROUNDWATER CONTAMINATION RESULTING FROM DEVELOPMENT AND IMPROPERLY FUNCTIONING SEWAGE DISPOSAL SYSTEMS:

Run-off from developed sites may contain matter which has the potential to contaminate local streams and creeks and eventually the South Fork Kern River. Groundwater is susceptible to contamination from improperly designed or functioning sewage disposal systems which may be compounded by the fact that soils in the region typically percolate very rapidly.

Mitigation Measures: Development projects of significant nature and/or scale are required to obtain a use permit and/or have a site plan approved. Either of these processes will attach conditions of approval to the project to mitigate site specific impacts, thereby reducing cumulative impacts.

Potential for contamination of groundwater will be reduced through parcel size limitations (5 acre minimum), proper design of sewage disposal systems will be ensured through review by the County Health Department, water systems will meet State Requirements and be under permit with and meet the requirements of the County Health Department.

Specific Goals, Policies, and Implementation Strategies which mitigate these impacts are:

Goal A: Policy 1, Residential Implementation Strategy J.

Goal C: Policy 13, Implementation (b).

C. DETERIORATION OF AMBIENT AIR QUALITY FROM VEHICLE EMISSIONS AND FUGITIVE DUST:

The growth allowed by the Plan will result in an increase of traffic in the area with a corresponding increase in vehicular emissions (non-point source), and emissions from electric generators, fireplaces, and fuel burning furnaces (point sources) resulting in a decrease in local and regional air quality. Fugitive dust from construction activities and use of unpaved road surfaces may decrease ambient air quality both temporarily and in the long term. These increases resulting from the proposed Plan however, are considered less than

the increases that would result from growth allowed by the current land use plan and zoning in the Planning Area. The exception to this would be that present County ordinances require paved roads, and the proposed Plan proposes graded (dirt) roads. However, many exceptions to the paving requirements have been granted by the County. The majority of roads in the Planning Area, except for those that are publicly maintained, are graded earth roads and are privately owned and maintained now.

Traffic generated by build out of the Plan will primarily be automobiles, but since the Plan does include provisions for certain retail and service commercial uses, as well as commercial-recreational uses, motorhome and other recreational vehicle traffic and a limited amount of truck and construction related equipment traffic can also be expected. In addition, Kennedy Meadows Road, being the only major paved road through the Planning Area which provides access to adjacent National Forest Lands, timber harvesting related truck traffic, and recreational users on motorcycles, in automobiles and possibly buses, can also be expected.

Since electric service is not currently provided to the area, nor expected to be provided to the area in the near future, by a public utility company, power and heat is provided by individual electric generators (gas and diesel), fireplaces, and fuel burning furnaces. These are additional point sources of emissions which can contribute to the long term decline of local and regional air quality.

Since the area is characterized as a recreation/second home area, heat- and power-source, as well as vehicle pollutant generation is expected to be low during the winter months when only the very few permanent residents are in the area. However, pollution generation would be considerably higher during the summer when more property owners come to the area for short term residency, and when recreational use by visitors in the Planning Area and surrounding area is high.

Project pollutants generated in the short and long term have the potential to impact air quality locally and over the Domelands Wilderness area to the west of the Planning Area. Domelands Wilderness is considered to be a sensitive receptor of air quality as the original Domelands area (prior to additions made in 1984) is designated a Class I area by the Federal Clean Air Act. The Class I designation, simply put, means the air quality there cannot be degraded.

Mitigation Measures: Since there is no documented information available about seasonal and daily air flows, pollutant levels, temperatures, or other weather conditions, there is no baseline to which potential impacts of the Plan can be compared. Because air quality problems are regional in nature, the Kennedy Meadows Plan can do only little in alleviating them. The Kennedy Meadows Plan is proposing a significant reduction in the maximum buildout of the area from what would be allowed by present County plans and policies which is beneficial towards reducing potential air quality impacts. Therefore potential degradation of local and regional air quality is considered to be significantly reduced by the proposed Plan. A reduction in maximum buildout will result in fewer vehicle trips and associated non-point source pollutants generated by the Planning Area. Similarly, the Plan proposes that no manufacturing or industrial uses of any kind will be permitted in the Planning Area. The only major point source generators of pollutants will be electric generators (gas and diesel), fireplaces, and fuel burning furnaces.

Providing alternative modes of transportation beyond personal automobiles and trucks in the Planning Area is not considered practical or reasonable at this time given the remote nature and small permanent population of the area. Local residents and visitors may ride horseback or walk when convenient or desirable. Required 50 foot easements and 24 foot graded travelways as well as provisions for graded shoulders would provide adequate room for use by occasional pedestrians or equestrians.

The implementation of the proposed plan is not anticipated to generate significant adverse effects upon local or regional air quality, because the amount of traffic to be generated during the planning period is considered minor in comparison to regional volumes, because the Plan proposes to prohibit manufacturing and industrial uses which would be significant stationary sources of pollutants, and because the other stationary sources of pollutants (i.e., power generators) are not considered to be significant contributors to the area air quality.

Specific Goals, Policies, and Implementation Strategies that mitigate these impacts are:

Goal A: Policy 1, General Implementation Strategy (c), (h); Policy 2.

D. DISRUPTION OR DESTRUCTION OF SPECIAL CONCERN PLANTS AND THEIR HABITATS:

Development in the Planning Area could potentially disrupt or destroy habitat of special concern plants and the plants themselves. The Department of Fish and Game, Natural Diversity Data Base has identified eight special concern plants that are known or suspected to occur in the Planning Area. Special concern plants are candidates to be included in the federal list of rare or endangered species.

Since these plants are not yet designated as such, the Plan will not result in any significant impact to any known rare or endangered plant species within the Planning Area. However, since the plants are potential candidates for rare or endangered status there is concern for their continued protection so as to reduce the likelihood of a change in their status.

Mitigation Measures: The Plan establishes that future development projects be referred to appropriate agencies, including the U. S. Fish and Wildlife Service and Department of Fish and Game for consultation in order to comply with the CEQA requirements for protection of rare and endangered plants. At the time development projects undergo discretionary review by the County these other agencies will have the opportunity to evaluate the current status of the plant and determine whether or not it will be impacted by the proposed project. Specific recommendations by these agencies for necessary mitigation measures can be incorporated into the conditions of approval of the specific development proposal.

E. DISRUPTION OR DESTRUCTION OF MONACHE DEER HABITAT AND MIGRATION PATTERNS:

Construction of structures and fences and increased human habitation in the Planning Area could potentially interfere with migration patterns and routes of the Monache deer herd and deteriorate its existing habitat in the area.

According to the Department of Fish and Game, Long Canyon and Sacatar Meadows, have long been recognized as traditional migration corridors for the Monache deer herd. Both spring and fall use occurs in these areas as the deer move back and forth between the Long Valley (BLM territory in the southwest portion of the Study Area) wintering area and the Monache Meadows summering area (northerly of the Study Area within the Inyo National Forest). However, page 15 of "The Monache Deer Herd Plan" prepared by the Department of Fish and Game in December 1980 states: "The Long Valley winter range covers an estimated 52,000 acres. Earlier studies (Jones 1953) considered Long Valley to be the most important winter range of the Monache herd. However, since that time the number of deer are relatively scarce and not easily seen. The reasons for this decline are not fully known, but normal plant succession and conflicts with livestock and humans are suspect."

Mitigation Measures: The Department of Fish and Game opinion, together with the Plan's proposal to reduce the potential human population from what is currently possible suggests that the impacts to the deer herd are not as significant as suspected. However, specific Goals, Policies, and Implementation Strategies of the Plan which help reduce impacts of future development on any potential migration to and from the Long Valley area are:

Goal E: Policy 24, Implementation Strategy (a) and (b).

F. INCREASED NOISE LEVELS:

Increases in local traffic and increased use of power generators will result in an increase in the local ambient noise level. In addition, since the Plan provides for retail commercial and commercial-recreation uses, increased noise levels from activities associated with these types of development will also occur at specific sites.

Substantial increases in the use of generators can in time disturb the quiet, still qualities typical of mountainous communities that presently exist throughout the majority of the Planning Area. In addition, the mountain-valley terrain and local winds can cause noise to be carried over great distances, thereby increasing the area of affect from point source noise generators. The echoing effects in mountainous areas coupled with day and night usage of power generators, noise effects can become annoying. Because the Plan assumes that electricity will not be available within the Planning Area during the planning period (20 years), generators will continue to be a primary source of noise.

The various user intensive retail commercial and commercial-recreation developments that are allowed by the plan will also generate noise levels that could be potentially annoying to adjacent land uses.

Mitigation Measures: The Plan requires that muffling devices as well as enclosures, if necessary, be provided for new generators. In addition, commercial uses will undergo discretionary site plan reviews which will provide the opportunity to review projects for potential noise impacts to surrounding land uses and to incorporate conditions for setbacks, landscaping and other appropriate measures as deemed necessary.

Specific Goals, Policies, and Implementation Strategies of the Plan that mitigate this impact are:

Goal E: Policy 25, Implementation Strategies (a) and (b).

G. DISTURBANCE OR LOSS OF ARCHAEOLOGICAL AND/OR HISTORICAL RESOURCES:

Portions of the Planning Area have potential to contain both prehistoric and historic resources. There are numerous recorded sites in the area already and the potential for further sites is considered high by the California Archaeological Inventory Information Center in Bakersfield, California, the regional archaeological clearinghouse. Future development may damage or destroy available artifacts which would result in loss of resources and a subsequent void in prehistoric and historic records.

Mitigation Measures: Mitigation of impacts to archaeological resources can only be accomplished during the review of individual development projects. Development sites should be examined to determine the location and nature of on-site archaeological resources (if any). Such provisions are established in the Kennedy Meadows Plan.

Specific Goals, Policies, and Implementation Strategies of the Plan that mitigate this impact are:

Goal F: Policy 30, Implementation Strategies (a) and (b).

H. DETERIORATION OF PUBLIC AND PRIVATE ROADS:

Increased traffic resulting from growth in the Planning Area, and increased traffic associated with recreation, timber harvesting and other activities in the adjacent National Forest and Bureau of Land Management (BLM) lands, will result in increases in public and private road wear and tear and demand for off-street parking. Continued logging truck and recreational user traffic will further contribute to the general deterioration of Kennedy Meadows Road. (The deterioration of public and private roads and will increase the need and expense, both the public and private cost, of continuous maintenance of these roadways. This impact is discussed in the next section which deals with the general fiscal impacts resulting from increased need for public services.) Secondly, inadequately maintained roads result in decreased efficiency of on-the-ground emergency vehicle service, since access may be difficult or altogether impossible.

Mitigation Measures: The County of Tulare has little or no control over traffic, traffic increases, as well as demands for off-street parking resulting from activities occurring within and adjacent to nearby Forest Service and BLM lands. The Plan's primary objective, however, is to restrict growth within the Planning Area to a level that allows for efficient, safe and convenient traffic circulation given the level of road maintenance that can be reasonably provided by the County. To help reduce the expense to the County of road maintenance, the Plan proposes no new publicly maintained roads will be developed in the Planning Area. Therefore funds that are available for road maintenance can be utilized for existing County roads, namely Kennedy Meadows

Road, the more heavily traveled county road. The Plan also proposes that new land divisions proposing access from a private access easement shall enter into an agreement with the county for permanent maintenance of that easement. These measures for continued road maintenance will, in turn, allow for improved on-the-ground emergency vehicle service.

Specific Goals, Policies, and Implementation Strategies of the Plan that mitigate these impacts are:

Goal A: Policy 1, General Implementation Strategy (b).

Goal B: Policy 4; Policy 5 Implementation Strategies (a) and (b); Policy 8 Implementation Strategy "Maintenance" (a), (b) and (c); Policy 9 Implementation Strategies (a) through (e); Policy 10 Implementation Strategy (a).

I. INCREASED DEMAND FOR PUBLIC SERVICES AND RELATED EXPENSES:

Generally speaking, with increased development and related growth in population come increased demands and need for additional or increased levels of public services and utilities. Such increase in service demands can be, at least partially, offset by the additional property and sales taxes generated by the development. But, development in any given area may not be completely self supporting. It is especially difficult for an agency to provide needed services in a cost-effective and cost-efficient manner when the area to be served is remote and discontinuous from the primary service area.

Development allowed by the Plan may eventually necessitate increased public service levels for fire protection, police protection and road maintenance. It is very difficult to predict what the threshold will be that will necessitate increased service levels for these services. In addition, with relatively unpredictable rates of inflation it is equally difficult to project future costs to provide these services, and whether or not property, sales, road and gas taxes generated in the future will adequately off-set the expenses incurred in the Planning Area. Due to these unknown and unpredictable factors the significance of this potential impact is too speculative at this time. However, the specific Goals, Policies, and Implementation Strategies of the Plan that help mitigate the potential effects are:

Goal A: Policy 1; Policy 2.

Goal B: Policy 4; Policy 6.

Goal C: Policy 15; Policy 16; Policy 17; Policy 18.

Goal G: Policy 31.

J. CHANGES IN LAND USE DESIGNATIONS AND REGULATIONS:

Implementation of the proposed plan will promote significant changes in the land use patterns as presently planned in the Planning Area, (reference the 1963 Tulare County Area General Plan, prepared by the Tulare County Planning Department) however, it is not proposing significant changes to the pattern of land uses that presently exist in the Planning Area. The primary effort of

the proposed plan is to more clearly define boundaries of the present land use pattern and to develop policies which will retain that existing pattern.

In addition, the Plan proposes a larger minimum parcel size in the isolated and peripheral areas of the Planning Area which provides improved compatibility with adjacent land use designations and activities. However, the larger minimum parcel size designations are generally a reflection of existing parcel sizes; so significant changes from the existing environment are not proposed.

Mitigation Measures: None deemed necessary.

K. POTENTIAL DEPLETION OF UNDERGROUND WATER SUPPLIES:

Additional development in the Planning Area will necessitate an increase in the drilling of individual water wells resulting in an increase in the rate of use of underground water sources, the supply of which is unknown. Excessive withdrawals have the potential to deplete supplies in certain areas significantly affecting residences and businesses already established in the Planning Area.

Available well log information indicates that existing wells generally deliver adequate amounts of water for domestic use. Wells are generally quite deep, and the rate of non-producing wells prior to the existing wells is unknown. The majority of wells for which there is depth and volume data are primarily located in the Kennedy Meadows proper area. Well information for the isolated and peripheral areas is essentially unknown. The chance of groundwater depletion is quite speculative. A very detailed geological/hydrologic study would need to be performed by a qualified engineer to determine the exact location and quantity of water available in the area. This type of study is outside the scope of this document. However, the Plan does provide that before a development project is allowed, it must demonstrate availability of an adequate and safe supply of domestic water.

Mitigation Measures: This impact is too speculative to be resolved at this time. In the interim, specific Goals, Policies, and Implementation Strategies which partially mitigate this potential impact are:

Goal C: Policy 13, Implementation Strategies (a) and (b).

CHAPTER 8

ALTERNATIVES

1. NO PROJECT

The 1963 Tulare County Area General Plan currently in effect, would continue to guide growth within the Kennedy Meadows Area. The existing zoning would also be in effect for the area. The 1963 Plan and zoning will allow 5 acre minimum parcel size development throughout the majority of the Planning Area (10,000 square feet up to 2 acre minimum parcels would be permitted in a few small areas). Since the 1963 Plan contains little direction or policy about specific land uses and densities appropriate for the Kennedy Meadows Area, all of the environmental effects cited above, and possibly others would still be generated if the proposed Plan is not adopted. The proposed Plan is more comprehensive in nature than the 1963 Plan, and contains specific policy and implementation strategies directed at a land use pattern that provides protection of the environment. Consequently, the potential adverse effects of the proposed Plan will be lesser in magnitude and severity than under the continued use of the current Plan. Further, as the proposed Kennedy Meadows Plan comprises an updated reflection of conditions and trends, its adoption and implementation will provide reasonable, effective, and realistic long-term guidance for future growth within the Planning Area. Thus the "no project" alternative is not considered to be feasible or desirable for the area, nor environmentally superior to the proposed Plan.

2. DECREASED PROJECT DENSITY

Decreasing the development densities from what is currently allowed or from what is proposed in the Kennedy Meadows Plan would reduce the amount of development that would be permitted to occur within the Planning area, thereby reducing potential environmental effects correspondingly. However, as no significant unavoidable environmental effects are anticipated to result from implementation of the proposed Plan, this alternative of decreased density, appears unnecessary. In addition, the development densities currently set forth in the proposed Plan are intended to satisfy land use demands that are anticipated to occur during the Planning Period, thereby fulfilling the future needs of the area. This alternative is therefore considered to be inappropriate for this project.

CHAPTER 9

ANY SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED IF THE PROJECT PROPOSAL IS IMPLEMENTED

1. Increasing noise levels in the Planning Area can be significantly reduced, but not totally eliminated.
2. Deterioration of air quality from increases in motor vehicles and power generators, furnaces, and fireplaces are partially mitigated by the low density of the proposed Plan, but not totally eliminated.
3. Disturbance to the Monache deer herd habitat and migration routes can be partially mitigated, but not totally eliminated.
4. Groundwater supplies have the potential to become depleted, but the Plan cannot totally eliminate this impact as the impact is considered too speculative at this time.

CHAPTER 10

THE RELATIONSHIP BETWEEN SHORT-TERM USES OF MAN'S ENVIRONMENT AND THE MAINTENANCE OF LONG-TERM PRODUCTIVITY

The proposed Kennedy Meadows Plan prescribes land use patterns and circulation standards for the Kennedy Meadows Planning Area that will develop gradually over the twenty year planning period. Development occurring during this period will have long-term effects, as it will commit future generations to the land use patterns and circulation established by this Plan. This commitment is considered to be beneficial at this time. This Plan may also be amended in the future, if necessary or desirable.

CHAPTER 11

GROWTH INDUCING IMPACT OF THE PROPOSED PROJECT

The proposed Kennedy Meadows Plan will allow additional development to occur within the Planning Area. Land use designations established in the Plan are estimated to allow a 410% growth in population in the Planning Area.* Realizing the existing residency characteristics as described in Chapter 2, not all of the total population would be expected to reside in the area on a permanent basis. Applying the worst case percentages discussed in Chapter 2, approximately 13%, or 240 individuals would be projected to live in the Kennedy Meadows Planning Area on a year round basis by the year 2006. Due to this relatively small projected increase it is not expected that the Plan will have significant growth inducing impact on the area within the planning period.

CHAPTER 12

CUMULATIVE EFFECTS

Cumulative impacts result from past, present, and reasonably anticipated future projects producing related or similar effects on the environment. These impacts may be individually insignificant but when their effects combine over time may be cumulatively significant. Cumulative impacts can result from the proposed Plan together with planning actions taken by an agency outside the control of the Lead Agency.

In the Kennedy Meadows Area, adjacent jurisdictions include the Sequoia and Inyo National Forests, the Bureau of Land Management (BLM) and the Counties of Inyo and Kern. Lands immediately adjacent to the Study Area in Inyo and Kern Counties are presently administered by the BLM. The only known action being proposed by Inyo County in the future is the paving of the 2.5 mile graded portion of Nine Mile Canyon Road just outside the Tulare County line in the fiscal year 1988-89. As discussed in Chapter 1, the Sequoia National Forest Land and Resource Management Plan has undergone public review but a final decision has not been announced at the time of writing of this document. The Preferred Alternative presented in that plan however did propose wilderness designation of 12,700 additional acres of land adjacent to the easterly boundary of the Domelands Wilderness in BLM territory. This, however, has the effect of significantly prohibiting development of any kind and restricting motorized vehicles on these lands. It is therefore determined that this U. S. Forest Service project does not result in any accumulation of impacts with the proposed Kennedy Meadows Plan.

*NOTE: This percentage compares to the roughly 250 separate property owners, assuming each ownership is held by one adult couple, with no children; therefore a count of 500 is assumed to constitute the present potential population of Kennedy Meadows. The percent of increase is tabulated by assuming an occupancy of 2 people per dwelling unit and assuming one dwelling unit per each potential new residential parcel (707) and each currently vacant parcel (218); a total of 925 dwellings X 2 people per dwelling = 1850 projected population.

As discussed in Chapter 1, the Bureau of Land Management is in the process of beginning their own resource management plan for the area they call Walker Pass which includes the Kennedy Meadows Planning Area. Even preliminary proposal is not yet available for the Walker Pass area. Therefore identification of potential cumulative effects from that project is too speculative at this time. It is not likely that significant cumulative effects result from the continuation of BLM policy in the area as land uses are primarily open space/ grazing and limited developed recreation (e.g., 2 campgrounds in the Long Valley Area) which are compatible with the large minimum parcel size resource conservation land use proposed by the Kennedy Meadows Plan.

It is therefore determined that no significant cumulative effects will result from the implementation of the Kennedy Meadows Plan.

CHAPTER 13

ANY SIGNIFICANT, IRREVERSIBLE ENVIRONMENTAL CHANGES WHICH WOULD BE INVOLVED IN THE PROPOSED ACTION SHOULD IT BE IMPLEMENTED

The implementation of the proposed Kennedy Meadows Plan will result in the establishment of prescribed land use patterns within the Planning Area. This effect is considered to be beneficial because it will provide for efficient, long range use of planning area resources and services.

CHAPTER 14

EFFECTS NOT FOUND TO BE SIGNIFICANT

Please refer to appendix for Initial Study and Environmental Impacts Checklist for a listing of impacts found not to be significant.

CHAPTER 15

INDIVIDUALS, ORGANIZATIONS, AND AGENCIES CONSULTED

Tulare County Agricultural Commission
Tulare County Air Pollution Control District
Tulare County Fire Warden
Tulare County Public Works (Traffic)
Tulare County Public Works (Right-of-Way)
Tulare County Public Works (Drainage)
Tulare County Environmental Health Department
Tulare County Sheriff's Department
Tulare County Local Agency Formation Commission
Tulare County Library
Tulare County Supervisor, Ben Webb, District 5
Resource Conservation District - Visalia
Resource Conservation District - Kern Valley
Inyo County Planning Department
Inyo County Board of Supervisors
Kern County Planning Department
Kern County Board of Supervisors
Kern County Library
Hot Springs Elementary School Districts
Springville Union Elementary School District
Porterville Elementary and High School District
Kern Joint Community College District
Continental Telephone
Southern California Edison
Kennedy Meadows Property Owners Association, Inc.
National Audubon Society
Condor Research Center
State Clearinghouse
State Department of Parks and Recreation
State Department of Water Resources
State Department of Conservation
State Department of Transportation
Regional Water Quality Control Board
State Lands Commission
State Department of Health
California Water Quality Control Board
California Archaeological Inventory Information Center
Native American Heritage Commission
California Dept. of Fish and Game (Fresno, Visalia, Wofford Heights)
California Dept. of Fish and Game - Natural Diversity Data Base
U. S. Department of Agriculture - Sequoia National Forest (Porterville)
 - Inyo National Forest (Bishop)
 - Cannell Meadows Ranger District

U.S. Fish and Wildlife Service
Bureau of Land Management
U.S. Soil Conservation Service (Visalia, Tehachapi)

FINAL STATEMENTS

Further statements from public and private agencies that have been and/or will be notified are to be attached upon completion of this project. The statements, verbatim, will reflect opinions of persons and agencies contacted in reference to this document. Responses to significant environmental points raised in the review and consultation process will be addressed in the Final Environmental Impact Report.

Final Approval:

Approved:

Eugene E. Smith
Environmental Assessment Officer

By:

Date:


6-24-86

FINAL ENVIRONMENTAL IMPACT REPORT

KENNEDY MEADOWS PLAN (GPA 86-02)

An Amendment to the Land Use and Circulation Elements of the Tulare County General Plan

SCH #86051912

FINAL STATEMENT

According to the guidelines for the California Environmental Quality Act of 1970, Title 14 of the California Administrative Code, Section 15132, the Final EIR shall consist of: (a) The draft EIR or a revision of the draft, (b) Comments and recommendations received on the draft EIR either verbatim or in summary, (c) A list of persons, organizations, and public agencies commenting on the draft EIR, (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process, and (e) Any other information added by the Lead Agency.

For this Final EIR, Tulare County has chosen to summarize the comments received that relate to environmental issues. Each summarized comment is followed by Tulare County's response to comments.

PERSONS, ORGANIZATIONS, AND AGENCIES CONSULTED ON THE DRAFT EIR

	<u>Comments Received (Date of Letter)</u>
Ben Webb, Supervisor, District 5	
Tulare County Agricultural Commission	
Tulare County Air Pollution Control District	7-17-86
Tulare County Environmental Health Department	
Tulare County Fire Warden	
Tulare County Library	
Tulare County Local Agency Formation Commission	7-18-86
Tulare County Public Works	
- Drainage	
- Right-of-Way	7-23-86
- Traffic	
Tulare County Sheriff	
Resource Conservation District (Visalia)	
Inyo County Board of Supervisors	
Inyo County Planning Department	7-7-86
Kern County Board of Supervisors	
Kern County Department of Planning & Building Services	

Kern County Library-Ridgecrest Branch
Resource Conservation District (Kern Valley)
Kern Joint Community College District
Hot Springs Elementary School Districts
Porterville Elementary and High School Districts
Springville Union School District
Continental Telephone
Southern California Edison
Kennedy Meadows Property Owners & Associates, Inc.
State Clearinghouse
California Water Quality Control Board
California Archaeological Inventory Information Center
State Department of Conservation
State Department of Fish and Game (Fresno, Visalia,
Wofford Heights) 7-31-86
State Department of Fish and Game, Natural Diversity Data Base
State Department of Health
State Department of Parks and Recreation
State Department of Transportation
State Department of Water Resources
State Lands Commission
State Regional Water Quality Control Board
Native American Heritage Commission
Bureau of Land Management
- District Office
- Caliente Resource Area Office 7-21-86
U.S. Fish and Wildlife Service
U.S. Forest Service
- Sequoia National Forest (Porterville, Cannell Meadow) 7-23-86
- Inyo National Forest (Bishop)
U.S. Soil Conservation Service (Visalia, Tehachapi) 7-29-86

COMMENTS RECEIVED AND RESPONSES:

1. COUNTY OF INYO PLANNING DEPARTMENT

The County of Inyo Planning Department indicates that, as presented, the proposed Plan poses no significant impacts and offers no further comments.

Response: No response necessary.

2. C. D. CICCHELLI

Mr. Cicchelli does not raise any new or significant issues related to environmental impacts.

Response: No response necessary.

3. TULARE COUNTY DEPARTMENT OF HEALTH SERVICES - AIR POLLUTION CONTROL DISTRICT (APCD)

The Tulare County APCD finds the proposed Plan does not significantly impact the air quality in Tulare County.

Response: No response necessary.

4. TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION (LAFCO)

The Tulare County LAFCO raises no new or significant issues related to environmental impacts.

Response: No response necessary.

5. UNITED STATES DEPARTMENT OF THE INTERIOR - BUREAU OF LAND MANAGEMENT (BLM)

The BLM indicates that the Plan and EIR appear to be adequate from their standpoint and has no comments at this time.

Response: No response necessary.

6. TULARE COUNTY PUBLIC WORKS DEPARTMENT - RIGHT OF WAY DIVISION

The Right of Way Division raises no new or significant issues related to environmental impacts.

Response: No response necessary.

7. UNITED STATES FOREST SERVICE - SEQUOIA NATIONAL FOREST

The Sequoia National Forest office in Porterville forwards comments submitted by the Cannell Meadow Ranger District and raises no new or significant issues related to environmental impacts.

Response: No response necessary.

8. UNITED STATES FOREST SERVICE - CANNELL MEADOW RANGER DISTRICT

The Cannell Meadow Ranger District notes that the Plan does not contain policy that addresses potential encroachment by residential uses adjacent to Domeland Wilderness. A suggestion was made to place special restrictions on the lots that are adjacent to the Wilderness boundary. The Forest Service recommends a 50 foot setback requirement "to reduce encroachment and to allow for maintenance of a fuel break along the boundary."

Response: The Forest Service letter does not indicate that the Policies as contained in the Plan would cause a significant impact to the Wilderness area, and further does not specify that the suggested setback would be necessary to mitigate a significant impact. Therefore no response is necessary. The Plan does, however, require that a thirty-foot (30') clearance of flammable vegetation shall be provided and maintained around all new main structures. (Policy 15, Implementation Strategy d.)

9. UNITED STATES DEPARTMENT OF AGRICULTURE - SOIL CONSERVATION SERVICE (SCS)

The SCS raises no new or significant issues related to environmental impacts, but suggests several technical errors in the Plan that should be corrected.

Response: No response necessary. Suggested technical corrections have been made to Table 1-5 of the Plan.

10. STATE DEPARTMENT OF FISH AND GAME (DFG)

The DFG indicates, in its view, that the Plan reflects a sensitivity for fish and wildlife issues, and acknowledges that many features of the Plan, such as low density residential classifications, limited commercial acreage and minimal roading, indicate that biological resources were among the primary planning considerations. The DFG feels that even though the Plan's goals and policies will serve as a guide in protecting the biological and other resources of the area, significant wildlife losses may still occur in the future. However, they agree that the public review processes required by California Environmental Quality Act (CEQA) will provide the only reasonable mitigation measure for this impact. The DFG indicates that this public review process under CEQA will provide them adequate opportunity to recommend protective measures on a site specific basis.

Response: No response necessary.

11. GORDON LESLIE COOPER

Mr. Cooper raises no new or significant issues related to environmental impacts.

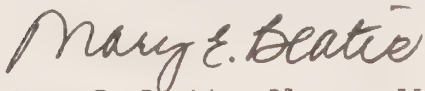
Response: No response necessary.

12. TAD LONERGAN, M. D.

Dr. Lonergan raises no new or significant issues related to environmental impacts.

Response: No response necessary.

Respectfully Submitted By:



Mary E. Beatie, Planner III
Foothill and Mountain Planning Division

FINAL APPROVAL:

COUNTY OF TULARE
ENVIRONMENTAL ASSESSMENT OFFICER

Eugene E. Smith



BY: George Finney

Date:

9/17/86



PLANNING DEPARTMENT

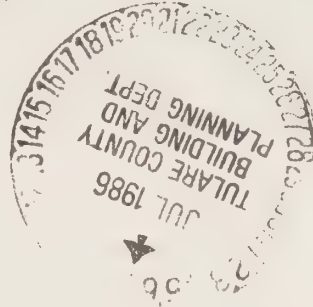
DRAWER L • INDEPENDENCE • CALIFORNIA 93526

(619) 878-2411 (Ext. 306, 307, 318)

County of
INYO

TED HILTON
Planning Director

July 3, 1986



Building and Planning Department
Rooms 105-111 Courthouse
County Civic Center
Visalia, CA 93291

ATTN: Michael Heinzen, Division Head
Foothill and Mountain Planning Division

SUBJECT: THE KENNEDY MEADOW PLAN, A PROPOSED AMENDMENT TO
THE LAND USE AND CIRCULATION ELEMENTS OF THE TULARE
COUNTY GENERAL PLAN (GPA86-02), AND DRAFT ENVIRON-
MENTAL IMPACT REPORT (DEIR).

Gentlemen:

Thank you for the opportunity to review the Draft Kennedy
Meadows Plan and accompanying Draft EIR.

We feel the proposal, as presented, poses no impacts of signifi-
cance to Inyo County and offer no further comments at this time.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ted Hilton".

TED HILTON
Planning Director
Inyo County

jw

Planning Commission
Tulare County
Visalia, Ca



July 6, 1986

Commission Members:

Today I became aware of your plan to be reviewed publicly on Wednesday July 9, 1986. I was able to review a copy of the Kennedy Meadows Plan and found much to my liking. I know much time and effort has gone into this plan and the interest of the concerned is foremost.

Because I can not attend the public meeting this Wednesday, permit me to note those areas of particular interest to me as a private part time resident of Kennedy Meadows.

1. The basic zoning for this area should remain as it is currently;
2. I don't see a need for a new road maintenance agreement;
3. Water and leech fields are not a problem for current residence under current zoning regulations;
4. a fifty foot wide road requirement seems to be unnecessary for current zoning; and
5. a five acre minimum parcel is desirable.

Thank you for your consideration.

Sincerely

D. Cichelli

PO Box 1568

Ridgecrest, Ca. 93555

Sec 17 NW 1/2 x W 1/2 x NE 1/4 x SE 1/4 R 36 E T 22 S

TULARE COUNTY

DEPARTMENT OF HEALTH SERVICES



Ronald W. Probasco
Director

July 17, 1986

Tulare County Building/Planning Dept.
Rooms 105-111 Courthouse
County Civic Center
Visalia, Ca. 93291

Attn: Michael Heinzen

Dear Mr. Heinzen:

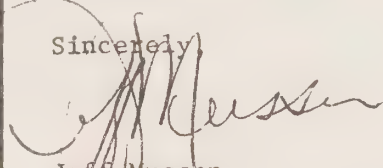
Air Pollution Control
(209) 733-6438

The Tulare County Air Pollution Control District has reviewed the Kennedy Meadow Plan Draft Environmental Impact Report, a proposed Amendment to the Land Use and Circulation Elements of the Tulare County General Plan (GPA 86-02) and finds the plan does not significantly impact the air quality in Tulare County.

If you have any further questions, please do not hesitate to call 733-6438.

Sincerely,

Environmental Health
(209) 733-6441


Jeff Mussen
Environmental Health Engineer
Division of Environmental Health

JM:st

cc: Joe Burnett



PLEASE REPLY TO:

TULARE COUNTY AIR POLLUTION
CONTROL DISTRICT
HEALTH DEPT., CO. CIVIC CENTER
VISALIA, CA. 93291



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

County Civic Center, Room 111 Courthouse • Visalia, California 93291 • (209) 733-6284

July 18, 1986

COMMISSIONERS:

William C. Clark
John R. Conway
Thelma Gomez
Lorie Mangine
Nero Pruitt

EXECUTIVE OFFICER:

Rita Bee Hill

Michael Heinzen, Division Head
Foothill and Mountain Planning Division
Tulare County Building and Planning Department
Room 111, Courthouse Building
Visalia, CA 93291

Dear Mike,

Thank you for the opportunity to review the draft plan and EIR for the Kennedy Meadows area. I have reviewed the proposal and have the following comments.

As the plan describes the area as rural in character, used exclusively for recreation and vacation homes, and that this primary intent would not change if the new plan is adopted, LAFCo has no problems with effecting this plan.

The service structure as it currently exists is appropriate for the characteristics of this area. Although there currently exists a demand for better services, surely to increase into the future, there is no need to create any special districts at this time. This is due primarily to the seasonal flux in resident population as well as the low permanent population base. Additionally, the isolated nature of the plan area effectively excludes the possibility of annexation to an existing district.

Also, recent changes in legislation have been adopted which allow counties to mutually adjust their boundaries in the case of disjointed service areas.

If I can be of further assistance during the final preparation, do not hesitate to contact me. I would also appreciate a chance to review the final plan and EIR.

Sincerely,

TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION
Rita B. Hill, Executive Officer

Kevin Shannon
Staff Analyst

KS:ss
Heinzen



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

520 Butte Street

Bakersfield, California 93305

Phone: (805) 861-4236

Office Hours: 7:30 a.m. to 4:00 p.m. weekdays

IN REPLY
REFER TO:

1700

(CA-016.1)

County of Tulare
Building and Planning Dept.
Attn: Michael Heinzen
County Civic Center
Visalia, CA. 93291



Dear Mr. Heinzen:

Mike

Thank you for the opportunity to comment on the draft Kennedy Meadow Plan and Environmental Impact Report. After reviewing the documents, they appear to be adequate from our standpoint and we have no comments at this time. We look forward to corresponding from time to time on issues that mutually affect our jurisdictions in the planning area. Please call or write if you have any questions in the future.

Sincerely,

Maureen J. Horne, Acting

Glenn A. Carpenter
Caliente Resource Area Manager

M E M O R A N D U M

July 22, 1986

TO: Mary Beatie, Building and Planning Department
FROM: Robert Newby, Public Works - Right of Way
SUBJECT: Kennedy Meadows Plan - DEIR

As Kennedy Meadows Road (M 152) is a Federal Aid Secondary Route, any parcel maps creating parcels under 10 acres in size will be required to dedicate additional right of way so as to create a total right of way width of 84 feet. This also applies to special use permits, building permits, etc.

A majority of the existing right of way is now 60 feet in width.

RN:mm





UNITED STATES
DEPARTMENT OF
AGRICULTURE

FOREST
SERVICE

Sequoia
National
Forest

900 West Grand Avenue
Porterville, CA 93257-2035

REPLY TO: 1950

DATE: July 21, 1986



Ms. Mary Beatie
Tulare County Building & Planning Dept.
County Court House
Visalia, CA 93291

Dear Ms. Beatie:

In order to provide the most knowledgeable review of the Draft Kennedy Meadow Plan and EIR, I asked the District Ranger on the Cannell Meadow District to review them. He did so, making several comments. As they seem comprehensive from our standpoint, I forward them in their entirety.

Jerome A. Gelock

JEROME A. GELOCK
Land Management Planning Officer

Enclosure





UNITED STATES
DEPARTMENT OF
AGRICULTURE

FOREST
SERVICE

Cannell Meadow Ranger District
P. O. Box 6
Kernville, California 93238

619-256

REPLY TO: 2700

DATE: July 16, 1986

SUBJECT: Kennedy Meadows Planning

TO: Forest Supervisor

We have reviewed the Kennedy Meadow Plan and have the following comments.

Page 23 indicates camping is prohibited within 1000 feet of trails and streams. The actual restriction is 100 feet.

The Policies expressed under Goal D (pg.38), address many of the Forest Service concerns. However, there is no mention of protection of the adjacent Domeland Wilderness from encroachment by residential uses.

The Plan should place special restrictions on the lots that are adjacent to the Wilderness boundary. Restrictions could include establishment of a 50' setback requirement to reduce encroachment and to allow for maintenance of a fuel break along the boundary.

If additional information is needed, please let us know.


ROBERT D. ADDISON
District Ranger

SEOUOIA NF
JUL 17 1986

___FS___
___AO___
___FE___
___FLO___
___FMO___
___LMP___
___PAO___
___REC___
___RO___
___TMO___



UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

3135 So. Mooney Blvd., Suite C, Visalia, CA 93277

Mary Beatie, Project Planner
T.C. Building & Planning Dept.
County Civic Center, Room 105
Visalia, CA 93291



RE: Case No. GPA86-02

Our office has reviewed the Kennedy Meadow Plan and Draft Environmental Impact Report. We paid particular attention to the Soils Table 1-5 on page 13, looking for inconsistencies or typographic errors compared with our copy of the Soils Interim Report of the Kennedy Meadow area. Our comments, suggestions and edits are in red on the attached copy of page 13. In all cases, where sewage is written as a hazard on Table 1-5, seepage is the limitation we would like to see listed. Seepage explains limitations for landfills and dumping of other potentially toxic material besides sewage (e.g., oil and gasoline.)

We are pleased to see that Soils information was used appropriately and correctly in developing the draft plan. Soil limitations of seepage and erodibility were considered in setting limits on parcel size and density of development. Soil erosion and surface and groundwater contamination are correctly identified as the major soil related environmental effects of the proposed action. Continued use of soils information during implementation of the plan will help prevent the negative environmental impacts that the plan is designed to avoid.

Richard F. Howard

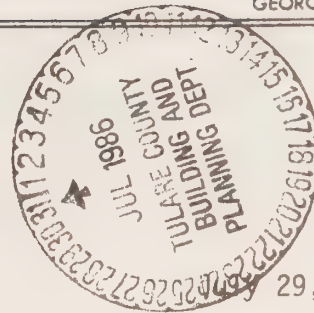
Richard F. Howard
Party Leader
Visalia Soil Survey Office



OFFICE OF PLANNING AND RESEARCH

1400 TENTH STREET
SACRAMENTO, CA 95814

(916/445-0613)



Mary Beatie
Tulare County Bldg & Planning
County Civic Center, Courthouse 111
Visalia, CA 93291

JUL 29, 1986


Subject: Kennedy Meadow Sub-Area Plan of the Mountain Plan
SCH# 86051912

Dear Ms. Beatie:

The State Clearinghouse submitted the above named environmental document to selected state agencies for review. The review period is closed and none of the state agencies have comments. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call Peggy Osborn at 916/445-0613 if you have any questions regarding the environmental review process. When contacting the Clearinghouse in this matter, please use the eight digit State Clearinghouse number so that we may respond promptly.

Sincerely,


John B. Ohanian
Chief Deputy Director
Office of Planning and Research

OFFICE OF PLANNING AND RESEARCH

1400 TENTH STREET
SACRAMENTO, CA 95814



July 30, 1986

Mary Beatie
Tulare County Building and Planning
Courthouse, Room 111
Visalia, CA 93291

Subject: Kennedy Meadow Sub-Area Plan of the Mountain Plan
SCH# 86051912

Dear Ms. Beatie:

The State Clearinghouse submitted the above named draft Environmental Impact Report (EIR) to selected state agencies for review. The review period is closed and the comments of the individual agency(ies) is(are) enclosed. Also, on the enclosed Notice of Completion, the Clearinghouse has checked which agencies have commented. Please review the Notice of Completion to ensure that your comment package is complete. If the package is not in order, please notify the State Clearinghouse immediately. Your eight digit State Clearinghouse number should be used so that we may reply promptly.

Please note that recent legislation requires that a responsible agency or other public agency shall only make substantive comments on a project which are within the area of the agency's expertise or which relate to activities which that agency must carry out or approve. (AB 2583, Ch. 1514, Stats. 1984.)

These comments are forwarded for your use in preparing your final EIR. If you need more information or clarification, we suggest you contact the commenting agency at your earliest convenience.

Please contact Peggy Osborn at 916/445-0613 if you have any questions regarding the environmental review process.

Sincerely,

A handwritten signature in dark ink, appearing to read "John B. Ohanian".

John B. Ohanian
Chief Deputy Director
Office of Planning and Research

cc: Resources Agency

Enclosures

Memorandum

To : 1. Projects Coordinator
Resources Agency

Date : July 30, 1986

2. Mary Beatie
County of Tulare Building and Planning
County Civic Center, Courthouse, Room 111
Visalia, CA 93291

From : Department of Fish and Game

Subject: SCH 86051912 - Draft Kennedy Meadow Plan, Amendment to the Land Use and Circulation Elements of the Tulare County General Plan and Draft Environmental Impact Report

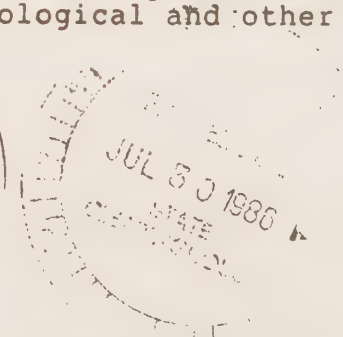
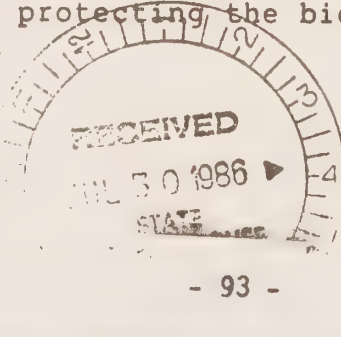
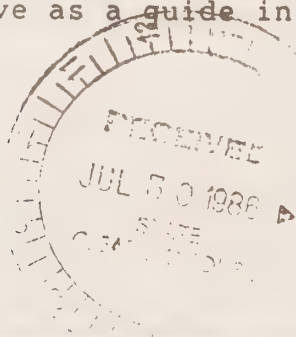
We have reviewed the Draft Kennedy Meadow Plan, an Amendment to the Land Use and Circulation Elements of the Tulare County General Plan, and the Draft Environmental Impact Report (DEIR). The Kennedy Meadows Plan and DEIR cover a planning area of approximately 16,000 acres located in eastern Tulare County on both sides of the Kennedy Meadows/Nine Mile Canyon Road (J41).

The Kennedy Meadows Study Area provides diverse habitat for an equally diverse assemblage of plants and animals. These resources are well documented in the materials provided. Resources of special concern to us are the Monache deer herd, the sensitive plant species identified by the Nongame Heritage Program of our Department, native and introduced fisheries, and special habitat features such as the riparian corridor along streams, springs and seeps, and rock outcrops. Impacts to these resources arise from poor soil conservation, livestock overgrazing, ORV activities, and many other direct and indirect impacts resulting from increased human activities.

The biological resources of the Kennedy Meadow Study Area are already adversely impacted by man's activities. Any increase in residential or commercial land use will cause reductions in wildlife. The "build-out" scenario used in the plan is certain to result in significant losses of wildlife.


Despite the long-term implications of the Plan, it reflects a sensitivity for fish and wildlife issues. Many features such as low-density residential classifications, limited commercial acreage and minimal roading indicate that biological resources were among the primary planning considerations.

We believe that although this Plan and DEIR adequately address local land use needs and set forth goals and policies that will serve as a guide in protecting the biological and other resources



of the area, significant wildlife losses will still occur. Site-specific planning, open to public review as part of the CEQA process, will provide us with other opportunities to recommend protective measures, but the Plan will not be a sound basis for future land-use development as long as significant long-term wildlife losses are accepted by the County.

If you have questions or need to consult with our staff, please direct your inquiries to George Nokes, Regional Manager, 1234 East Shaw Avenue, Fresno, CA 93710, or telephone, (209) 222-3761.


for Jack C. Parnell
Director

August 8, 1986

Re: Kennedy Meadows

Dear Ms. Beatie:

With regard to the General Plan Amendment - Kennedy Meadows Plan, we wish to submit the following comments:

210-190-05 A-1 As to Lots 10 and 11 of Section 25 and all of 80.66 5/2 of SE 1/4
210-190-06 A-1 the NE quarter of Section 36, all in T 22 S, 160.00
R 36 E, MDBM, we request the land use designation of 40 acres minimum parcel size.

We concur that the present existing land use designation of 5 acres is too intensive, while 160 acres minimum is too restrictive since the property does not lend itself to agricultural use. Therefore 40 acre parcels would be a balance and still allow for open space with limited development.

We respectfully ask your consideration of this request to designate the property for a 40 acre minimum parcel.

Very truly yours,



Gordon Leslie Cooper

Ms. Mary E. Beatie
Planner, Tulare County
Building and Planning Dept.
County Civic Center
Room 111, Courthouse
Visalia, CA 93291

TAD LONERGAN, M. D.
Diplomate American Board of Family Practice

SANTA ANA MEDICAL ARTS
1125 E. 17th STREET, SUITE N551
SANTA ANA, CALIFORNIA 92701

TELEPHONE (714) 973-9264

August 8, 1986

Mrs. Mary Beatie
Tulare County Building & Planning
Department
Tulare County Court House
Visalia, California

Re: Draft: Kennedy Meadow Plan
Draft: Environmental Impact Report

Dear Mrs. Beatie:

I have read and re-read certain cogent parts of the plan you prepared. Thank you for all your work - and that of your staff.

We have never met and for that reason, I have given considerable thought as to how to comment without raising defense mechanisms, to communicate without being pontifical, to present a different approach without being dogmatic, to point out some mistakes and innuendos that are not accurate without sounding like the Department Chairman guiding a possibly over-enthusiastic graduate student through the maze of the doctoral program!

I decided all these goals were not possible so will try a different approach - maybe a historical approach - and I am a comparative newcomer - first visited Kennedy Meadows in 1964.

I arrived to the resentment manifested by the word "flatlander", probably best understood by someone who "takes" and never "gives" - whether its illegal Christmas trees, a deer, a string of fish or maybe just tranquility but leaves behind messy camping areas, beer cans and obvious disdain for this country.

People from Visalia, unfortunately, fall into this same category. Burglaries are a weekly occurrence, the road, until recently, was never plowed, the garbage blew all over the valley until Don Rice was hired, we had no fire protection until recently - and the list goes on and on.

August 8, 1986
Mrs. Mary Beatie
Page: 2

The relationship got so bad that many years ago a group of us were ordered out of the office of the County Road Commissioner - for lots of reasons - but in part because of his resentment that I would ask for \$900 for diesel that we used to open the road one winter. I vividly recall his feelings - to the effect that if we were dumb enough to live in that county - that we could jolly well keep the road open ourselves!

It was at this time that serious study was given to joining Inyo County and we had some discussions with their legal counsel - but unfortunately, (or fortunately) our group was too busy to see the process completed.

And of course - what rankled most and still does was watching the timber taxes and fees roll into Visalia with very little being spent in the area of origin!

We might dress different, act stupid, have loud arguments with each other - but we are not, as usually characterized in Visalia, losers, beatniks, pot heads, dopers, lazy, dumb, un-Christian, unpatriotic, or psychotic!

So maybe this sketch will make it easier to understand our deep resentment towards "experts" from the flatlands who have made very few trips to the area and have prepared such a study with such minimal input from the people involved. It reminds me of Stalin or Hitler deciding the fate of areas they knew nothing about - and it also reminds me of the long memory of the peasant who is affected!

Enough history - some general comments!

1. Kennedy Meadows will be a long time developing - especially since the river access was closed - unless a large lake goes in and that is a "pipe dream" similar to the proposed Sherman Pass Ski area!
2. The plan is simply too complex for such a simple area. The regulations you propose are not necessary or even needed.
3. The county doesn't enforce what regulations it already has. A wonderful warm and compassionate gentleman - Bill Horst, tries to enforce the simple building code and the county doesn't back him up!
4. We watch with concern the miserable waste of tax dollars when five men come over with road equipment and pickup trucks - staying in motels when the snow removal work could be done by one contractor with equipment already on the hill!

August 8, 1986
Mrs. Mary Beatie
Page: 3

I have tried to figure out what prompted such a massive study - without success.

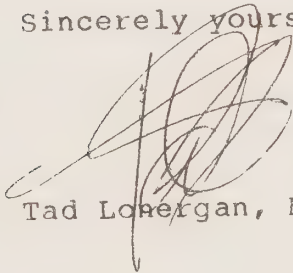
The realtor most active on the plateau states he knows of only three sales so far this summer - the slowest season he can remember - so it probably wasn't a big developer!

In summary, we don't hate you - nor love you - we just don't know what to do with you or the Kennedy Meadows Bible you have delivered!

I would suggest we leave things as they are. The Feds have almost broken the vacations of thousands by blocking the river - please don't do us any more damage.

We have an old saying in medicine that goes something like this - "If you can't do any good - atleast don't do any harm" and it seems a very appropriate statement.

Sincerely yours,

A handwritten signature in dark ink, appearing to be "Tad Lobergan", written over a horizontal line.

Tad Lobergan, M.D.

TL:kp



Appendix

I. ENVIRONMENTAL IMPACTS CHECKLIST - IDENTIFICATION OF ENVIRONMENTAL EFFECTS

Explanation and use of form:

The following checklist contains an extensive listing of the kinds of environmental effects which result from development projects. In using the checklist, the Building and Planning Department is required to determine whether any of the effects set forth in the checklist would apply to the proposal and, if so, determine the magnitude of the effect. The point system which is used to rate the magnitude of potential effects is described as follows:

Major (3 points): Means that the environmental effect is both adverse and significant. Requires discussion in Section VI.

Moderate (2 points): Means that the environmental effect is indeterminate and may or may not be significant. Requires discussion in Section VI.

Minor (1 point): Means that the environmental effect is present but is clearly insignificant or is not adverse. Does not require discussion in Section VI.

No Effect (do not mark): Means no evidence exists to suggest such effect would result from the proposal.

In using the checklist, the project planner is required to answer the following question: "Is it likely that the proposal will result in any of the following effects and to what degree; Major, Moderate or Minor?"

ENVIRONMENTAL IMPACTS CHECKLISTA. EARTH

- | | |
|---|--|
| <u> </u> 1. Unstable earth conditions | <u> </u> b. covering |
| <u> </u> 2. Changes in geologic substructure | <u> </u> c. destruction |
| <u> </u> 3. Changes in the condition of the soil by: | <u> </u> 6. Accelerated soil erosion on-site by: |
| <u> 2 </u> a. disruption | <u> </u> a. wind |
| <u> 2 </u> b. displacement | <u> 3 </u> b. water |
| <u> 2 </u> c. compaction | <u> </u> 7. Accelerated soil erosion off-site by: |
| <u> </u> d. overcovering | <u> </u> a. wind |
| <u> </u> e. pollution (e.g. salts, etc.) | <u> 3 </u> b. water |
| <u> </u> 4. Changes in topography or ground surface relief features by: | <u> </u> 8. Modification of riparian areas, river channels or lakes by: |
| <u> 2 </u> a. leveling or grading | <u> </u> a. deposition |
| <u> 2 </u> b. considerable earth moving or surface excavation | <u> </u> b. erosion |
| <u> </u> 5. Changes in geologic or physical features which are unique or are of cultural value by: | <u> </u> c. siltation |
| <u> </u> a. modification | <u> </u> d. other |

9. Exposure of people or property to:

- a. unstable earth conditions
- 2 b. earthquakes
- c. landslides (slumping)
- d. ground failure (e.g. subsidence or settlement)
- e. liquefaction
- 2 f. similar geological hazards

B. AIR

1. Deterioration of ambient air quality by:

- 2 a. emission of pollutants
- 2 b. generation of dust (both during and after construction)
- c. creation of objectionable odors

2. Regional alteration of:

- a. air movement
- b. moisture
- c. temperature
- d. climate

3. Local alteration of:

- a. air movement
- b. moisture
- c. temperature
- d. climate

4. Exposure of people to:

- a. adverse air emissions
- 2 b. objectionable odors
- c. excessive dust

C. WATER

1. Changes in the character of surface water by:

- a. modification of course or direction
- b. temperature modification
- c. change in the level of dissolved oxygen
- 2 d. increased turbidity
- 2 e. addition of pollutants
- f. other

2. Changes in:

- a. absorption or percolation rates
- 2 b. drainage patterns
- 2 c. rate and amount of surface runoff

3. Changes in the:

- a. course and direction of floodwaters
- b. intensity of flood flows
- c. volume of the area necessary to pass floodflows

4. Changes in groundwater:

- 2 a. availability for public use (e.g. excessive withdrawals)
- 2 b. quality (pollutants)
- 1 c. subsurface movement
- d. recharge

5. Exposure of people and property to:

- a. flooding
- b. mudslides
- c. demonstrated unsafe domestic water supplies

D. PLANT LIFE

1. Reduction in number and diversity of species of:

- a. trees
- b. shrubs
- c. grass
- d. wildflowers
- e. aquatic plants
- f. unique plants
- g. rare plants
- h. endangered plants
- 2 i. other - candidate plants

2. Introduction of new species into an area

3. Interference with the normal replenishment of existing species

4. Destruction or deterioration of existing natural habitat

5. Reduction in acreage of agricultural crops

E. ANIMAL LIFE

1. Reduction in number and diversity of species of:
 - a. birds
 - b. land animals (including reptiles)
 - c. fish
 - d. benthic organisms
 - e. insects
 - f. unique animals
 - g. rare animals
 - h. endangered animals
 - i. other

2. Introduction of new or additional animal species into an area (including vectors)

- 2 3. Interference with migration or movement: Monache deer herd

- 2 4. Destruction or deterioration of existing habitat

- 1 5. Displacement of existing habitat

F. NOISE

- 2 1. Increased noise levels
2. Exposure of people to severe noise levels
- 2 3. Exposure of critically impacted land uses to severe noise levels

G. LIGHT AND GLARE

- 1 1. New sources of light and glare
2. Increased intensity of light and glare

H. LAND USE

1. Substantial changes from the present land use of the area
- 2 2. Substantial changes from the planned land use of the area

I. NATURAL RESOURCES

- 2 1. Increased rate of use of any natural resource: Groundwater
- 2 2. Substantial depletion of nonrenewable resources
3. Conflict with future potential for use or extraction of natural resources
4. Loss of unique or prime agricultural land

J. RISK OF UPSET

1. Risk of accidental explosion or release of hazardous substances:

- a. oil or flammable liquids
- b. pesticides or herbicides
- c. explosives
- d. chemicals
- e. radiation
- f. other

2. Exposure of people to risk of accidental explosion or release of hazardous substances

K. HUMAN POPULATION

1. Significant alteration of:

- a. location of population
- 1 b. population distribution
- 1 c. population density
- 1 d. growth rate
- e. cultural characteristics
- f. age distribution (elderly, children)
- g. other

L. HOUSING

1. Deterioration in condition of existing housing
2. Deterioration in living environment
3. Deterioration in areas planned for future living environment
4. New demand for additional housing
5. Reduction in housing supply
6. Failure to meet demands of low and moderate income households for affordable housing

M. TRANSPORTATION/CIRCULATION

1. Substantial impact on existing transportation (roads, rail and air)
- 2 2. Substantial additional vehicular movement (trucks and autos)
3. Need for public transportation
4. Increased traffic hazards to:
 - 2 a. motor vehicles

- _____ b. bicycles
 _____ c. pedestrians (e.g., near schools)
 _____ 5. Alteration of present pattern of circulation of people
 _____ 6. Alteration of present pattern of circulation of goods
 _____ 7. Over use of existing parking facilities
2 8. Demand for additional parking facilities
 N. (for commercial uses)
 _____ PUBLIC SERVICES

- _____ 1. Significant effect upon or need for new or altered governmental services in any of the following areas:
2 a. fire protection
2 b. police protection
 _____ c. schools
 _____ d. parks, recreational facilities and services
2 e. maintenance of public facilities (roads, etc.)
 _____ f. medical services
2 g. others - Emergency response
 _____ 2. Reduction in use or demand for governmental services (e.g., lowered school enrollment, etc.)

O. ENERGY

- _____ 1. Use of substantial amounts of fuel or energy
 _____ 2. Substantial increase in demand on existing sources of energy
 _____ 3. Requirement for development of new energy sources
 _____ 4. Block out or reduce amount of sunlight on existing solar panels

P. UTILITIES

- _____ 1. Result in a need for new system or substantial alteration of existing system:
 _____ a. electricity
 _____ b. natural gas
 _____ c. communication
 _____ 2. Result in need for new or additional community water facilities such as:
2 a. new wells
 _____ b. repair on existing wells
 _____ c. new lines

- _____ d. repair on existing lines
 _____ e. larger lines
 _____ f. looping of system
 _____ g. fire hydrants
 _____ h. water quality treatment facilities
2 i. increased fire flow
2 j. other - Water storage

3. Result in need for new or additional community sewer facilities such as:

- _____ a. new lines
 _____ b. repair on existing lines
 _____ c. larger lines
 _____ d. new collection or outfall lines
 _____ e. new or expanded treatment facilities
2 f. other - Septic systems

4. Result in need for new or additional storm drainage facilities:

- 2 a. on-site
 _____ b. off-site

5. Result in need for new or additional solid waste collection and disposal services

6. Result in need for new or additional irrigation services

7. Result in need for other utility services

Q. HUMAN HEALTH

- _____ 1. Creation of any health hazard
 _____ 2. Creation of any potential health hazard (e.g., vectors from dairies)
2 3. Exposure of people to existing or potential health hazards.

R. AESTHETICS

- _____ 1. Obstruction of:
 _____ a. any scenic vista
 _____ b. views open to the public
1 2. Creation of an aesthetically offensive building, use or activity readily open to public view
 _____ 3. Removal of:
 _____ a. street trees

- _____ b. trees of special community value
(e.g., valley oak)
- _____ c. existing on-site landscaping
- _____ d. other

_____ 4. Loss of open space

S. SOCIO-ECONOMIC

1. Temporary effects upon:

- 1 a. income distribution
- 1 b. employment
- 1 c. tax revenues

2. Permanent effects upon:

- _____ a. income distribution
- _____ b. employment
- _____ c. tax revenues

3. Changes in tax base and assessment for:

- 1 a. project site
- _____ b. surrounding area

4. Reduced employment opportunities for low and moderate income, Socio-economic groups

5. Impacts on social affiliation and neighborhood interaction

1 6. Impacts on privacy of surrounding area

T. ARCHAEOLOGICAL/HISTORICAL

1. Adverse effect on:

- 2 a. archaeological sites
- _____ b. historical site, structure or neighborhood
- _____ c. unique architectural on-site features
- _____ d. architectural character of surrounding buildings

U. MANDATORY FINDINGS OF SIGNIFICANCE

1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- No

2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)
- No

3. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)
- No

4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?
- No

IV. IDENTIFICATION OF ENVIRONMENTAL EFFECTS (DISCUSSION) AND SUGGESTED MITIGATION MEASURES

<u>Earth:</u>	<u>Checklist Item</u>	<u>Point Rating</u>	<u>Discussion of Effects</u>
	A.3.a.	2	Ultimate construction of residential and commercial structures and associated construction and use of roadway access will result in various degrees of soil disruption, displacement and compaction through grading and earth movement. Soils in the area exhibit characteristics of high susceptibility to water erosion. The Planning Area lies within the zone of influence of the Owens Valley fault. Weathered bedrock typical of mountain valleys such as Kennedy Meadow can be susceptible to intense ground shaking from earthquake.
	A.3.b.	2	
	A.3.c.	2	
	A.4.a.	2	
	A.6.b.	3	
	A.7.b.	3	
	A.9.b.	2	
	A.9.f.	2	

Proposed Mitigation Measures

1. Drainage and erosion control plans with site development.
2. Construction of roads which comply with the drainage and erosion control aspects of County road improvement standards.
3. Compliance with recommendations of Five County Seismic Safety Element and requirements of Uniform Building Code for Zone III.

Discussion of Effects

<u>Air:</u>	B.1.a.	2	Growth within the Planning Area will increase traffic with a corresponding increase in vehicular exhaust emissions and decrease in local air quality. Fugitive dust from construction activities and use of unpaved road surfaces may decrease ambient air quality on an intermittent basis.
	B.1.b.	2	
	B.4.c.	2	

Proposed Mitigation Measures

1. Encourage oiling on non-paved roads.
2. Compliance with any State Mandated Air Pollution Control Programs.
3. Encourage frequent water spraying of unvegetated soils during construction activities.

Water:

C.1.d	2
C.1.e.	2
C.2.b.	2
C.2.c.	2
C.4.b.	2
Human P.4.a.	2
Health Q.3.	2

Discussion of Effects

Surface and groundwaters have the potential to be contaminated due to severe limitations of area soils for septic tank absorption fields. Construction activities and increasing impervious surfaces will increase rate and amount of stormwater run-off and change historical drainage patterns. Run-off from impervious surfaces may carry greases, oils and other contaminants which may contaminate surface water including potentially the South Fork Kern River.

Proposed Mitigation Measures

1. Require submittal of complete soils data for development projects.
2. Utilize specialized designs for sewage disposal systems.
3. Utilize community sewage disposal systems.
4. Require preparation of stormwater drainage plans for new development.
5. Dispose stormwater on-site.
6. Utilize detention facilities to filter contaminants.

Plant Life:

D.I.i.	2
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Discussion of Effects

Development in the Planning Area could potentially disrupt or destroy habitat of special concern plants themselves, either known or highly suspected to occur in the Planning Area. Some of the 8 identified special concern plants for Tulare County are candidates to be included in the federal list of rare or endangered species.

Proposed Mitigation Measures

1. Implement recommendations of the State Dept. of Fish and Game and/or the U.S. Fish and Wildlife Service for protection of preservation of these plant species and their habitats.
2. Require botanical surveys by qualified botanical consultants prior to approval of development permits to determine existence of special concern plants or habitats.

Proposed Mitigation Measures

1. Require development permits to provide qualified assessment of the proposed sites archaeological/historical sensitivity.
 2. Establish measure to recover or preserve unique archaeological sites and resources in accordance with the recommendations of qualified consultants.
-

Discussion of EffectsTransportation/Circulation:

M-1	2
M-2	2
M-8	2

Increased residential commercial and recreational development will generate additional traffic and associated increases in public and private road wear and tear and demand for off-street parking. Continued logging truck travel will further contribute to the general deterioration of Kennedy Meadow Road.

Proposed Mitigation Measures

1. Reduce or limit potential growth and development in the area.
 2. Condition development permits to require entering into maintenance agreements with the County for private roadways to assure safe access by property owner and emergency vehicles.
 3. Develop road improvement standards that achieves a reduced cost to the developer of improving the road while still assuring a safe and environmentally responsive design.
-

Discussion of EffectsPublic Services:

N.I.a.	2
N.I.b.	2
N.I.e.	2
N.I.g.	2

A growing population will increase demands for public services. Such increase in service demand can be partially off-set by additional property and sales tax revenues. Evidence is not clear that these combined with other revenue sources allocable to the Planning Area area adequate to provide expanded County services in a cost effective manner to such a distant and remote area of the County.

3. Implement recommendations of qualified botanists.

Animal Life:

E.3. 2
E.4. 2

Discussion of Effects

Construction of structures and fences and increased human habitation in the Planning Area could potentially interfere with migration patterns of the Monache deer herd and deteriorate its existing habitat in the area.

Proposed Mitigation Measures

1. Implement recommendations of the State Dept. of Fish and Game for protection or preservation of this animal and its habitat.
 2. Reduce or limit human density by requiring larger minimum parcel sizes.
 3. Require fencing to be of a design that allows passage of deer in accordance with suggestions by Dept. of Fish and Game.
-

Noise:

F.1. 2
F.3. 2

Discussion of Effects

Because the Planning Area is void of electric services, additional development will result in increased use of generators, a critical noise generator.

Proposed Mitigation Measures

1. Establish requirements to maximize setbacks from property lines or single-family dwellings on adjacent parcels for new generators.
 2. Encourage use of generators designed with muffling devices.
 3. Require sound attenuation device(s) surrounding new generators.
-

Discussion of Effects

Archaeological/Historical

T.1.a. 2

Portions of the Planning Area may have potential for existence of archaeological or historical resources. Future development may damage or destroy available artifacts which would result in loss of archaeological resources or a void in archaeological records.

Proposed Mitigation Measures

1. Reduce or limit growth to a level that can be appropriately and adequately serviced by Tulare County.
 2. Pursue option of a County boundary line adjustment with Inyo and/or Kern County who may be able to provide the necessary public services in a move cost-effective manner.
-

Discussion of EffectsLand Use:

H.2.

2

Implementation of the proposed plan will promote significant changes in the present land use in the Planning Area. While these changes will admittedly have effects on the socio-economic factors of the Planning Area, these effects will not result in adverse effects on the environment. The reduction in density will result in a corresponding reduction in potential impacts on the environment associated with development.

Proposed Mitigation Measures

1. Subsequent development permits will be subject to assessment under CEQA to evaluate environmental impacts on a site specific basis.
 2. Incorporation in development permit review, other mitigation measures identified herein to reduce to insignificance impacts associated with development.
-

Discussion of EffectsNatural Resources:

I.1.

2

I.2

2

Water:

C.4.a.

2

Utilities:

P.2.i.

2

P.2.j.

2

Increased development and individual wells will increase the rate of use of underground water sources, the supply of which is unknown. Excessive withdrawals could deplete supplies in certain areas significantly affecting residences and businesses in the Planning Area.

Proposed Mitigation Measures

1. Require development permits to provide evidence of adequate and suitable water for domestic and fire flow purposes.

2. Reduce or limit potential development density in the Planning Area.
 3. Allow increases in density only as demand warrants.
-

Utilities:

P.2.j.	2
P.3.f.	2

Discussion of Effects

Increased development will increase the demand for additional water wells and sewage disposal systems. Unreliable groundwater sources and soils with limitations for septic tank absorption fields make indiscriminate installation of these facilities may contribute to premature depletion of water sources and failure of septic systems and associated surface water contamination.

Proposed Mitigation Measures

1. Reduce or limit potential development in the Planning Area.
2. Encourage use of community water and sewage disposal systems.

MEB:PARTIV

V. DETERMINATION:

On the basis of this initial evaluation:

☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION WILL BE PREPARED.

☒ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

VI. CREDITS:

This staff Report/Environmental Assessment Initial Study was prepared by

Mary E. Beatie.

Date May 16, 1986

GOLDEN JUBILEE MINING

Rt. 1, Box 240, Inyokern, California 93527
(619) 377-4665

7 July 1986

GOLD
SILVER
LEAD
COPPER
ANTIMONY
GEOTHERMAL
FINE MINERALS

Dal Hughes
1413 Wayne, Sp 142
Ridgecrest, Calif.
93555

Dear Mr. Hughes:

This letter is in response to your inquiry as to the general ground water supply situation in the main private land area in the vicinity of Kennedy Meadows in Tulare County, California. Although a letter summary such as this can not be definitive for any given parcel of land, I can in such a letter give you a summary of the conditions prevalent and the work on the hydrology that is done and is underway.

By way of introduction, I am a Registered Professional Geologist in the State of California and I have spent much of the past 26 years studying the hydrology, geology, and ore deposits of the Kennedy Meadows region. I have done this work on my own account, for clients, and for agencies of the Federal Government.

You will find, as amply demonstrated in the Draft Kennedy Meadows Plan, that hydrologists familiar with broad sediment filled basins such as the San Joaquin Valley often have little or no concept of the hydrology of fractured crystalline groundwater systems, and as a result, vastly underestimate the availability of groundwater in such areas.

The fundamental reservoir for ground water at Kennedy Meadows is fractured crystalline bedrock. The fractures are of several types and there are two main fracture systems present that anyone attempting to quantify the availability of ground water must consider. These are (1) a major northwest trending shear zone with its subsidiary and complementary fractures and (2) the arcuate and radial fractures of the Coso Geothermal System. The main shear zone varies from a few tens of feet to nearly a $\frac{1}{4}$ mile in width and where it has been drilled consists of open coarse brecciated unweathered granitic rock. The sense of motion on this great breccia zone is north side west, it offsets the main Sierran block, and this massive groundwater conduit extends from Little Lake, past Grumpy Bears, past the store, up Bitter Creek and on west to die out beyond the main Kern River. This structure appears to be an open conduit measuring several thousand feet in vertical extent and in your area it is saturated with water. The arcuate fractures, dipping eastward steeply, mark the perimeter of the Coso system. Both of these fractures and their associated smaller fractures stand out clearly in high altitude photographs and are striking on satellite photographs. The principal arcuate fracture

curves north up Long Valley just to the east of you.

I had mapped the main shear zone originally in the early 1960's at the time I was looking for a good water well location for a small farm I operated for a few years up there, and also was doing ground water availability calculations on the area for a client interested in possible development of the area. I first published on the main shear zone and the arcuate systems in 1971. This publication, NWC Technical Series 45-029-72, shows the main fracture zones on aerial photos on page 12 and on page 56 of this report shows an oblique high altitude photo along the structure which is described as: "...the alignment of crushed zones (valleys and meadows) extending west into the Sierra to well beyond the South Fork of the Kern River." This report was reprinted in Hearings before the Committee on Interior and Insular Affairs, U.S. Senate, has been reprinted recently by the Naval Weapons Center and is available from the U.S. Government Printing Office as publication No. 5270-01633, 1972.

Because the fracture network of the Kennedy Meadows area is the main water recharge zone for the Coso Geothermal System now under development by the U.S. Navy, and by California Energy Company, Grace Geothermal, and the Los Angeles Department of Water and Power, we have had a major continuing reason to study your area. Perhaps the most interesting study published to date is that done by Fournier and Thompson and published by the U.S. Geological Survey as Open File Report 80-454 in 1980. This report shows that your groundwater flows east below the Sierra crest into Rose Valley and Indian Wells Valley and that an active flowing system is believed present to a depth of over 5000 feet vertically in the main fractures which are saturated.

In addition to the fracture network, there are localized alluvial fill and decomposed rock areas, but by far the preponderance of the ground water is in the fracture network and virtually all of the high quality water is in this network. You will find the iron and manganese content of the shallow water in the alluvium and thin decomposed surface layers is generally too high to be potable at many locations, a typical phenomena in this type of crystalline rock terraine. Generally a few tens of feet below such poor water one encounters abundant high quality water.

As examples of wells in your area - a 6 inch well I located in the main shear zone was drilled to 300 feet, encountered fresh open brecciated diorite with minor calcite and pyrite, and is capable of producing 600 gpm of excellent quality water. A recently drilled 4 inch bore hole in the fractured zone west of Bitter Creek was recently drilled to 500 feet and produced about 500 gpm of excellent quality water. On the contrary, if a well is located in the center of an otherwise unfractured block and is not deep enough to cut an unloading fracture or similar low angle joints, the productivity will be a few gallons per hour at best yet a few 10's of feet away a well in a fracture zone will be a steady prolific producer. Thus each lot or development must be appraised for water potential on its own merits. We are not dealing with classical horizontal valley fill alluvium, but rather with two widespread, interlaced, mostly vertical fracture networks with annual recharge expected to be in the order of several thousand acre feet per year.

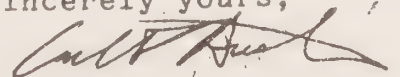
You will be interested to learn that a new and detailed fracture pattern study that includes your area of interest has just been contracted for by the East Kern County Resource Conservation District. Although the purpose is to establish the recharge patterns for Rose Valley and Indian Wells Valley, the results of this study should be invaluable for your area as well. This study should be completed by November of this year.

The potential problems with septic systems and their drainage fields are very real for your area and should be clearly understood by the homeowner, the developer, and the county alike. Drainage fields should where possible be placed on the deepest alluvium possible but never in active washes and should be placed to one side of fractures expected to be used for water production nearby. Indeed, any major concentrated development should be undertaken with an eye to going to extensive sewage treatment or to moving effluent to the east of the water production areas prior to spreading or leach fielding. If an owner of an isolated site encounters a problem in the future, a deeper casing program can generally solve the problem just as deeper casing and production solves the iron and manganese problems.

The situation you have is that not all of the lots subdivided to date in the Kennedy Meadows area have appropriate geology that will allow compatible coexistence of leach fields and domestic wells in proximity to one another. Furthermore blindly putting a universal distance criteria on well and field separation will not solve the problem in many cases since a short distance away from a fracture gives effective separation while a long distance along a water bearing fracture is of no help at all. The problem is that the county will in all probability for administrative convenience and cost considerations impose blanket rules rather than examine individual lots on a knowledgeable basis. Many lots are clearly suitable for conventional septic systems while others, even if quite large lots, should still use holding tanks and a pumping service.

In summary - the Kennedy Meadows area, in my professional opinion, has abundant groundwater resources of an excellent quality, but these resources are of a linear nature and not uniformly accessible to all lot owners. Some lots are clearly inappropriate for septic systems owing to their proximity to underlying water bearing fractures but every effort should be made to ensure that the county not restrict everyone in order to solve the problems of an unfortunate few.

Sincerely yours,



Carl F. Austin, PhD
Registered Professional
Geologist

1970
AVERAGE DAILY POLLUTANT EMISSIONS
SAN JOAQUIN VALLEY AIR BASIN
(TONS PER DAY)

EMISSION SOURCE	Organic Gases			Particulate Matter TSP	Oxides of Nitrogen NO _x	Sulfur Dioxide SO _x	Carbon Monoxide CO
	Reactivity						
	High	Low	Total				
STATIONARY SOURCES							
PETROLEUM							
Production		64.8	64.8	14.3	67.7	12.3	
Refining	2.9	25.4	28.3	1.3	6.9	16.0	99.7
Marketing	12.3	13.4	25.7		2.3		
SUBTOTAL	15.4	106	121	16.0	74.9	28.3	99.7
ORGANIC SOLVENT USES							
Surface Coating	3.0	12.6	15.6				
Dry Cleaning	1.0	4.3	5.3				
Greasing	2.3	8.9	11.2				
Other	11.0	46.3	55.3				
SUBTOTAL	17.3	70.7	88.0				
CHEMICAL		0.8	0.8	12.2		30.7	
METALLURGICAL				1.0			2.2
MINERAL				66.9			
INCINERATION							
Open Burning (dumps)	2.7	22.7	25.4	10.1	3.9	0.6	53.8
Open Burning (backyard)	2.0	16.9	18.9	7.8	0.9		30.2
Incinerators	0.4	1.7	2.1	1.2	0.2	0.1	3.0
Other							
SUBTOTAL	5.1	41.3	46.4	19.1	5.0	0.7	89.0
COMBUSTION OF FUELS							
Steam Power Plants							
Other Industrial		0.3	0.3	1.6	19.1	1.7	
Domestic and Commercial		3.6	3.6	5.1	15.0		13.3
SUBTOTAL		4.1	4.1	6.7	34.1	1.7	13.3
WOODS INDUSTRY							
Logging Debris	0.3	3.6	4.1	4.6	0.1		19.3
Teepee Burning	0.4	3.6	4.0	6.3	0.3		40.2
Steam Generation		0.8	0.8	4.6	1.8		0.3
Open Burning (Mill Waste)	0.2	1.7	1.9	1.4	0.1		6.0
SUBTOTAL	1.1	11.7	12.8	16.9	2.3		65.8
AGRICULTURE							
Debris Burning	7.2	61.7	68.9	29.3	3.3		112
Orchard Heaters		12.0	12.0	4.1		1.3	
Agricultural Product Processing Plants				43.6			
SUBTOTAL	7.2	73.7	80.9	79.0	3.3	1.3	112
TOTAL STATIONARY SOURCES	46.1	310	356	218	122	42.9	382
MOBILE SOURCES							
MOTOR VEHICLES							
Gasoline Powered							
Exhaust	201	67.1	268	10.4	160	6.1	1430
Blowby	13.2	3.2	16.4				
Evaporation	52.1	34.8	86.9				
Diesel Powered		0.7	0.7	2.7	18.2	2.7	36.4
SUBTOTAL	266	106	374	13.3	178	8.8	1470
AIRCRAFT							
Jet Driven	1.7	1.9	3.6	8.1	3.3		7.4
Piston Driven	8.7	9.0	17.7	0.3	4.4		100
SUBTOTAL	10.4	10.9	21.3	8.4	7.9		107
SHIPS AND RAILROADS		3.7	3.7	1.5	4.9	2.8	5.3
TOTAL MOBILE SOURCES	279	120	399	23.4	213	11.6	1580
GRAND TOTAL	325	430	755	241	335	54.5	1962

Source : Air Quality in the San Joaquin Valley Air Basin, State of California Air Resources Board, Sacramento, California, September 1973.

12/17/82

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1979 BASE YEAR INVENTORY
AVERAGE DAILY EMISSIONS
AIR BASIN : SAN JOAQUIN VALLEY

SOURCE CATEGORY	EMISSIONS (TONS/DAY)					
	TOG	ROG	CO	NOX	SOX	TSP
*TOTAL PETROLEUM PROCESS, STORAGE & TRANSFER	526.1	469.7	92.6	2.6	5.4	1.8
STATIONARY SOURCES						
INDUSTRIAL PROCESSES						
CHEMICAL	12.7	2.8	.4	.2	11.9	2.5
FOOD AND AGRICULTURAL	10.2	9.0	.1	.5		10.5
MINERAL PROCESSES				.1		8.4
METAL PROCESSES			.2	.9	.1	.5
WOOD AND PAPER						1.3
OTHER						
*TOTAL INDUSTRIAL PROCESSES	22.9	11.8	.7	1.7	12.0	23.2
MISC PROCESSES						
PESTICIDE APPLICATION	120.0	120.0				1,330.0
FARMING OPERATIONS						97.1
CONSTRUCTION AND DEMOLITION	1.1	1.0				108.0
ENTRAINED ROAD DUST - PAVED						86.8
ENTRAINED ROAD DUST - UNPAVED	7.0	3.4	39.1	.3		5.8
UNPLANNED FIRES	1.0	.7				
OTHER						
*TOTAL MISC PROCESSES	129.2	125.1	39.1	.3		1,627.6
*TOTAL STATIONARY SOURCES	801.2	689.9	338.0	177.7	213.1	1,701.5
MOBILE SOURCES						
ON ROAD VEHICLES						
LIGHT DUTY PASSENGER	106.0	99.6	631.0	79.7	2.9	9.6
LIGHT AND MEDIUM DUTY TRUCKS	47.1	44.1	304.0	34.1	1.2	3.8
HEAVY DUTY GAS TRUCKS	15.8	14.8	258.0	19.3	.8	2.2
HEAVY DUTY DIESEL TRUCKS	5.8	5.5	15.2	60.2	7.5	4.6
MOTORCYCLES	2.4	2.3	6.7	.2		
*TOTAL ON ROAD VEHICLES	177.2	166.3	1,214.9	193.4	12.4	20.2
OTHER MOBILE						
OFF ROAD VEHICLES	10.3	9.9	37.0	1.4	.1	.1
TRAINS	6.3	6.0	8.0	21.6	2.3	1.4
AIRCRAFT - GOVERNMENT	8.7	8.6	28.7	2.7	.5	3.1

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12/17/82

INVAB

1979 BASE YEAR INVENTORY
AVERAGE DAILY EMISSIONS
AIR BASIN : SAN JOAQUIN VALLEY

SOURCE CATEGORY	EMISSIONS (TONS/DAY)					
	TOG	ROG	CO	NOX	SOX	TSP
STATIONARY SOURCES						
FUEL COMBUSTION						
AGRICULTURAL	1.1	.9	14.3		.2	1.9
OIL AND GAS PRODUCTION	1.9	1.3	5.9	74.2	162.0	15.0
PETROLEUM REFINING	1.2	.8	3.7	6.6	21.1	.9
OTHER MANUFACTURING/INDUSTRIAL	.9	.7	4.7	26.4	7.9	3.7
ELECTRIC UTILITIES			.3	2.7	1.6	.3
OTHER SERVICES AND COMMERCE	.4	.3	1.3	4.8	2.5	.6
RESIDENTIAL	.8	.3	3.0	6.1	.1	1.0
OTHER	21.4	5.2	6.6	51.9	.1	.1
*TOTAL FUEL COMBUSTION	27.7	9.5	39.8	172.7	195.6	23.4
WASTE BURNING						
AGRICULTURAL - DEBRIS	20.7	8.0	113.0			17.4
RANGE MANAGEMENT	1.9	.8	10.9			1.9
FOREST MANAGEMENT			.4			
INCINERATION	.4	.1	2.4	.4	.1	1.2
OTHER	3.5	1.4	39.0			4.8
*TOTAL WASTE BURNING	26.5	10.2	165.8	.4	.1	25.5
SOLVENT USE						
DRY CLEANING	2.9	2.9				
DEGREASING	11.8	10.9				
ARCHITECTURAL COATING	15.3	15.3				
OTHER SURFACE COATING	9.3	9.3				
ASPHALT PAVING	8.5	7.2				
PRINTING	2.6	2.6				
DOMESTIC	11.1	9.8				
INDUSTRIAL SOLVENT USE	7.2	5.7				
OTHER						
*TOTAL SOLVENT USE	68.8	63.7				
PETROLEUM PROCESS, STORAGE & TRANSFER						
OIL AND GAS EXTRACTION	476.0	423.0				
PETROLEUM REFINING	20.6	17.2	92.6	2.6	5.4	1.7
PETROLEUM MARKETING	29.4	29.4				
OTHER	.2	.2				.1

12/17/82

INVAB

1979 BASE YEAR INVENTORY
AVERAGE DAILY EMISSIONS
AIR BASIN : SAN JOAQUIN VALLEY

SOURCE CATEGORY	EMISSIONS (TONS/DAY)					
	TOG	ROG	CO	NOX	SOX	TSP
MOBILE SOURCES						
OTHER MOBILE						
AIRCRAFT - OTHER	5.7	5.6	35.2	1.6	.1	
MOBILE EQUIPMENT	25.9	24.8	210.0	66.5	7.5	7.0
UTILITY EQUIPMENT	3.5	3.4	30.1	.4		.1
*TOTAL OTHER MOBILE	60.4	58.4	348.9	94.3	10.5	11.8
*TOTAL MOBILE SOURCES	237.6	224.7	1,563.8	287.7	22.9	52.0
*TOTAL SAN JOAQUIN VALLEY	1,038.8	914.6	1,901.8	465.5	236.0	1,733.5

TOG= Total Organic Gases

ROG= Reactive Organic Gases

CO= Carbon Monoxide

NOX= Nitrogen Dioxide

SOX= Sulfur Dioxide

TSP= Total Suspended Particulates

Source : Emission Inventory 1979, State of California Air Resources Board, Sacramento, December 1982.

MAXIMUM POLLUTANT CONCENTRATIONS AND NUMBER OF MEASUREMENTS
OF EXCEEDANCE OF STANDARD - VISALIA MONITORING STATION
1982

Pollutant	Standard (s = state, f = federal)	Highest Concentration	Number of Exceedances in a year
Ozone (O ₃)	(s) .10 ppm for 1 hour (f) .12 ppm for 1 hour	.13 .13	147 hours 5 hours
Carbon Monoxide (CO)	(s&f) 9.0 ppm for 8 hours (s) 20. ppm for 1 hour (f) 35. ppm for 1 hour	.10 .10 never higher than 35	0 0 0
Nitrogen Dioxide (NO ₂)	(s) .25 ppm for 1 hour	.16	0
Sulfur Dioxide (SO ₂)	(s) .50 ppm for 1 hour .05 ppm for 24 hours	.02 .02	0 0
Suspended Particulates (TSP)	(s) 100 ug/M ³ for 24 hours (f) 260 ug/M ³ for 24 hours	189 189	30 0

Source: California Air Quality Data - Summary of 1982 Air Quality Data - Gaseous -
Particulate Pollutants, State of California Air Resources Board, Technical
Service Division, Sacramento, California, 1982

BEFORE THE PLANNING COMMISSION
COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF GENERAL PLAN)	
AMENDMENT NO. GPA 86-02, AN)	
AMENDMENT TO THE LAND USE)	RESOLUTION NO. 6296
AND CIRCULATION ELEMENTS OF)	
THE TULARE COUNTY GENERAL)	
PLAN, KENNEDY MEADOWS AREA)	

Resolution of the Planning Commission of the County of Tulare recommending approval of the Kennedy Meadows Plan, an amendment to the Land Use and Circulation Elements of the Tulare County General Plan.

WHEREAS, the Board of Supervisors of the County of Tulare directed Staff on May 6, 1985, to begin certain studies toward the completion of a Mountain Area Plan, and

WHEREAS, the completion of the Mountain Area Plan is necessary as the third and final component in a comprehensive countywide update to the Land Use and Circulation Elements of the Tulare County General Plan; the first two components being the Rural Valley Lands Plan (adopted by the Board of Supervisors Resolution No. 75-3444 on December 2, 1975) and the Foothill Growth Management Plan (adopted by the Board of Supervisors Resolution NO. 80-2731 on November 4, 1980 (phase I) and Resolution No. 81-385 on February 24, 1981 (phase II)), and

WHEREAS, toward the completion of the Mountain Area Plan, the Board of Supervisors directed staff to prepare individual plans for "sub-areas" described as: Great Western Divide Area, Balance Rock-Posey Area, Kennedy Meadows Area, Mountain Home State Forest Area, Wilsonia Area, Tule Indian Reservation Area, and "remainder" areas; and beginning first with the Kennedy Meadows Sub-Area, and

WHEREAS, this proposed action is in accordance with Title 7, Division 1, Chapter 3, Articles 5 and 6, of the Government Code of the State of California, and

WHEREAS, the Planning Commission has given public notice of the proposed Kennedy Meadows Plan as required in Section 65351 of the Government Code of the State of California, and

WHEREAS, public hearings were held and public testimony received on July 9, September 10, and September 24, 1986, at regular meetings of the Planning Commission,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Planning Commission hereby certifies that it has reviewed and considered the information contained in the Environmental Impact Report for the proposed Kennedy Meadows Plan in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of

the California Environmental Quality Act, prior to taking action on the proposed amendment.

2. The following are the potentially significant environmental impacts identified in the Draft EIR which were found to be insignificant in the Final EIR and their corresponding statements of written findings as required by Section 15091 of the Government Code:

- a. Soil and erosion problems resulting from increase surface run off and soil disturbance. Mitigation measures have been included as policies and implementation strategies 1., 2., and 6. of Goal A; 7., and 8. (a)(5) of Goal B; 14.(a) of Goal C; and 27.(a-d) of Goal E of the Plan which substantially lessen this impact to a level of insignificance.
- b. Surface and groundwater contamination resulting from development and improperly functioning sewage disposal systems. Mitigation measures have been included as policies and implementation strategies 1. Residential Strategy J. of Goal A; and 13.(b) of Goal C. of the Plan which substantially lessen this impact to a level of insignificance.
- c. Disruption or destruction of special concern plants and their habitats. Mitigation measures have been included in the Plan as policies and implementation strategies as 31.(a) of Goal G which substantially lessen this impact to a level of insignificance.
- d. Disturbance or loss of archaeological and/or historical resources. Mitigation measures have been included in the Plan as policy and implementation strategies 30. (a) and (b) of Goal F which substantially lessen this impact to a level of insignificance.
- e. Deterioration of public and private roads. Mitigation measures have been included in the Plan as policies and implementation strategies 1. General Strategy (b) of Goal A; 4., 5.(a) and (b), 8.(a), 9.(a) - (e), and 10.(a) of Goal B which substantially lessen this impact to a level of insignificance.
- f. Increased demand for public services and related expenses. Mitigation measures have been included in the Plan as policies and implementation strategies 1. and 2. of Goal A; 4. and 6. of Goal B; 15., 16., 17., and 18. of Goal C; and 31. of Goal G substantially lessen this impact to a level of insignificance.
- g. Changes in land use designations and regulations. The environmental impact report determined that the Plan's land use designation scheme does not constitute a substantial divergence from the parcel size pattern which presently exists in the Planning Area and that no significant impacts result thereby.

3. The following are the significant environmental impacts from the Draft EIR that are found to be only partially mitigated by the Final EIR and their corresponding findings and Statements of Overriding Considerations as required by Sections 15091 and 15093 of the Government Code:

- a. Deterioration of ambient air quality from vehicle emissions and fugitive dust. Mitigation measures have been included as policies and implementation strategies 1.(c) and (h), and 2. of Goal A, which partially reduce these impacts. Other mitigations which serve to reduce impacts from vehicle emission are within the responsibility and jurisdiction of certain State and Federal agencies. Further, the Planning Commission finds that potential air quality impacts are considered acceptable, by making the following STATEMENT OF OVERRIDING CONSIDERATION:

The Plan's land use designations reduce, overall, (compared to existing land use regulations), the potential build-out of the Planning Area, thereby commensurately reducing the potential increase in vehicles in the area. The land use plan also tends to concentrate development in the area identified as the Primary Development area, thus lessening the impact of air pollution by preventing dense development from spreading throughout the Planning Area. The Plan also provides more concise guidelines for future development requiring increased opportunity for discretionary review processes such as Site Plan Review and Special Use Permit, where conditions to further reduce air quality impacts can be applied on a site specific basis, and that this is a benefit to the Planning Area which outweighs the unavoidable, adverse environmental impacts of air quality.

- b. Disruption or destruction of Monache deer habitat and migration patterns. Mitigation measures have been included in the Plan as policies and implementation strategy 24.(a) and (b) of Goal E which partially reduce the significance of this impact. Other mitigation measures which serve to reduce these impacts have specific social and economic considerations which make them infeasible, since they would unduly restrict the choice of affordable parcel sizes in the Planning Area. Further, the Planning Commission finds that certain potential impacts to the Monache deer herd are considered acceptable and makes the following STATEMENT OF OVERRIDING CONSIDERATIONS:

The Plan may cause a certain loss of deer herd habitat and may interfere with migration routes; however, the Plan does provide for larger minimum parcel sizes (40 acres and larger as recommended by the State Department of Fish and Game) in the majority of the Planning Area which do not presently exist under current land use regulations, and that these provisions provide an acceptable balance to potential impacts. The Plan also provides more concise guidelines for future development requiring increased opportunity for discretionary review processes such as Site Plan Review and Special Use Permit, where conditions to further reduce deer herd impacts can be applied on a site specific basis. Further, the no project alternative would likely result in greater impacts to the deer herd, making the Plan environmentally preferable. Therefore, the benefits of the proposed project outweigh the unavoidable adverse environmental effects to the deer herd.

- c. Increased noise levels. Mitigation measures have been included in the Plan as policy and implementation strategy 25.(a) and (b) of Goal E which partially reduce the significance of this impact. Because of individuals varying tolerances to noise, and because electric generators are expected to remain the primary source for heat and power in the area during the planning period, there may always be some ambient noise level that is unacceptable to some. However, the Planning Commission finds that certain noise levels are acceptable and makes the following STATEMENT OF OVERRIDING CONSIDERATIONS:

The Plan provides more concise guidelines for future development requiring increased opportunity for discretionary review processes such as Site Plan Review and Special Use Permit, where conditions to further reduce noise impacts can be applied on a site specific basis. Further, the no project alternative would likely result in greater noise impacts, making the Plan environmentally preferable. Therefore, the benefits of the proposed project outweigh the unavoidable adverse environmental effects of increased noise.

- d. Potential depletion of underground water supplies. Mitigation measures have been included in the Plan as policy and implementation strategies 13. (a) and (b) which partially reduce the significance of this impact. Further the environmental impact report determined that other mitigation measures are indeterminable at this time due to the speculative nature of the potential impacts. The Planning Commission finds that given the degree to which this impact can be defined at this time, the mitigation measures provided will substantially lessen the significance of this impact. The Planning Commission further finds that the unknown impacts are acceptable and makes the following STATEMENT OF OVERRIDING CONSIDERATIONS:

The Plan provides more concise guidelines for future development requiring increased opportunity for discretionary review processes such as Site Plan Review and Special Use Permit, where conditions to further alleviate the potential groundwater depletion impacts can be applied on a site specific basis. Further, the no project alternative would likely result in greater potential environmental impacts related to groundwater depletion, making the Plan environmentally preferable. Therefore, the benefits of the proposed project outweigh the unavoidable adverse environmental effects of potential groundwater depletion.

4. The Planning Commission approved alternate wording for Policy 8 of the Kennedy Meadows Plan which was presented to the Commission at the public hearing of September 24, 1986. The alternate wording was prepared by Staff at the direction of the Commission following public testimony expressed at the September 10th public hearing regarding concern over the on-site and off-site application of private vehicular access easement, improvement and maintenance requirements. The Planning Commission felt that the alternate

wording addressed more clearly and in more detail the concerns expressed by the public in attendance.

NOW, THEREFORE, BE IT FURTHER RESOLVED:

This Commission hereby recommends that the Board of Supervisors takes the following action:

1. Certify that the Final Environmental Impact Report prepared for General Plan Amendment (GPA 86-02) has been completed in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act, as amended.
2. Approve the Kennedy Meadows Plan, an amendment to the Land Use and Circulation Elements of the Tulare County General Plan, as amended herein.

The foregoing resolution was reviewed and approved upon motion of Commissioner Tracy, seconded by Commissioner Keefe, at a regular meeting of the Planning Commission on the 24th day of September, 1986, by the following roll call vote:

AYES: Brogan, Jensen, Millwee, Tracy, and Keefe

NOES: Sterling

ABSTAIN: Chute

ABSENT:

TULARE COUNTY PLANNING COMMISSION

A handwritten signature in dark ink, appearing to read "Eugene E. Smith", with a long horizontal flourish extending to the right.

Eugene E. Smith, Secretary

BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF)

General Plan Amendment, GPA 86-02)
An Amendment to the Land Use and)
Circulation Element in the)
Kennedy Meadows Area)

RESOLUTION NO. 86-1376

AGREEMENT NO.

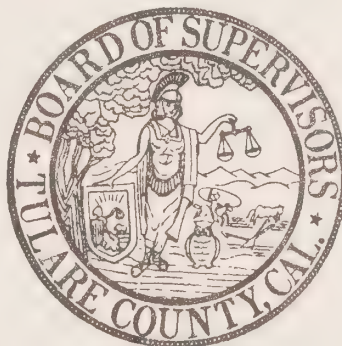
UPON MOTION OF SUPERVISOR Webb , SECONDED BY
SUPERVISOR Gould , THE FOLLOWING WAS ADOPTED BY THE BOARD
OF SUPERVISORS, AT AN OFFICIAL MEETING HELD October 28, 1986
BY THE FOLLOWING VOTE:

AYES: Supervisors Gould, Mangine, Swiney and Webb

NOES: Supervisor Conway

ABSTAIN: None

ABSENT: None



ATTEST: JOHN C. MC CLURE, II
COUNTY EXECUTIVE/CLERK
BOARD OF SUPERVISORS

BY: Gene Petersdorf

* * * * *

Accepted the staff's recommendation and approved the following:

- a. Certified the adequacy of the Final Environmental Impact Report
- b. Adopted the Kennedy Meadows Plan as recommended in Planning Commission Resolution 6296 (September 24, 1986) except as modified herein below.
- c. Revised "Mixed Use Implementation Strategy (4)" of Goal A to read as follows:

"(4) Low intensive, open space-oriented, recreation commercial uses, such as those listed in (3) above may be established in Mountain Residential and Resource Conservation areas outside the Primary Development Area with a Special Use Permit, in accordance with the following criteria

NOTICE OF DETERMINATION

TO: Tulare County Clerk
Room 201, Courthouse
Visalia, CA 93291

FROM: Tulare County Board of Supervisors
Administration Building
Visalia, CA 93291

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title: GPA 86-02 Kennedy Meadows Plan

State Clearinghouse Number (if submitted to State Clearinghouse): SCH # 86051912

Department: Tulare County Building and Planning Department

Staff Contact Person
Mary Beatie

Telephone Number 733-6254

Project Location: The Planning Area consists of approximately 16,000 acres of privately owned land in the southeast corner of Tulare County being generally surrounded by lands administered by the U.S. Department of Interior, Bureau of Land Management, and more specifically bounded on the north and west by the Inyo and Sequoia National Forests; on the east by Inyo County; and on the south by Kern County.

Project Description: An amendment to the Land Use and Circulation Elements of the Tulare County General Plan.

This is to advise that the Tulare County Board of Supervisors has approved the above described project on October 28, 1986, and has made the following determinations regarding the above described project:

1. The project () will have a significant effect on the environment
(X) will not
2. (X) An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
() A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

The EIR or Negative Declaration and record of project approval may be examined at: Room 105, Courthouse, Visalia, CA 93277

3. Mitigation measures (X) were, () were not, made a condition of the approval of the project.
4. A statement of Overriding Considerations (X) was, () was not, adopted for the project.

By:


Signature

Chairman, Board of Supervisors
Title

Filed with the Tulare County Clerk on October 30, 19 86.

NOTE: Authority cited: Section 21083, Public Resources Code; Reference: Sections 21108, 21152, and 21167, Public Resources Code.

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